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Research Briefing

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By David Torrance

The office and functions of the Prime Minister

Summary

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Summary

The office of Prime Minister of the United Kingdom has evolved over three centuries and is rarely found in statute. "It is impossible to point to a single point in history when the post was created," observed the Political and Constitutional Reform Committee in 2014, "or even a decision to create it."

Professor Kevin Theakston and Dr Timothy Heppell have observed that there is "no constitutional definition of the British Prime Minister's role or any authoritative specification of the office's functions, powers and responsibilities". The Cabinet Manual simply notes that the Prime Minister is the head of the UK Government but possesses "few statutory functions".

In Walter Bagehot's terminology, while the King heads the "dignified" part of the UK's uncodified constitution, the Prime Minister leads its "efficient" part, which includes the executive. His or her authority flows from having been chosen by their peers and supporters to lead their party and by the Monarch to lead the government.

Fifty-seven individuals (54 men and 3 women) have served as Prime Minister of the UK, the first and longest serving of whom was Sir Robert Walpole (1721-42). The shortest serving was Liz Truss, who was premier for just seven weeks in 2022.

Although the "Office of the Prime Minister" – or colloquially "Number 10" – is a business unit within the Cabinet Office, there is no dedicated government department which supports the premier.

To Andrew Blick and George Jones, the premiership was "best seen as a cluster of functions, rights and personnel centring on the person occupying the post of Prime Minister". As Jones put it in 1965:

> His office has great potentialities, but the use made of them depends on many variables, the personality, temperament, and ability of the Prime Minister, what he wants to achieve and the methods he uses [...] A Prime Minister who can carry his colleagues with him can be in a very powerful position, but he is only as strong as they let him be.

This research briefing first looks at the historical evolution of the role and how a Prime Minister is appointed. It includes a detailed examination of the office's various functions based on a "cartography" compiled by Professor Lord Hennessy in 2011. He omitted responsibilities as party leader, as does this briefing. Proposals for reforming the office of Prime Minister are summarised, as are the premier's statutory and prerogative functions.

Acknowledgements: Thanks to Jason Loch, Professor Andrew Blick and Rich Greenhill for comments on an earlier draft of this paper.

1 History of the office of Prime Minister

The role of Prime Minister is generally acknowledged as having emerged in 1721. The tercentenary of the office was marked in 2021 on that basis.[1] The historian A. J. P. Taylor judged that Sir Robert Walpole was "as much the first modern Prime Minister we should recognize as Adam was the first man".[2]

Sir Robert Walpole (studio of Jean-Baptiste van Loo, public domain).

1 The Prime Minister At 300, BBC Media Centre.
2 The Institution of Prime Minister, History of government blog, 1 January 2012.

As Dr Andrew Blick and Professor George Jones observe in their history of the office, the term "Prime Minister" was originally a term of abuse rather than a description of an official role. It suggested that a member of the Royal Court had risen above their station, the orthodoxy being that a monarch ought to be their own prime minister.[3]

This began to change following the Glorious Revolution of 1688, which limited the powers of a constitutional monarchy and, during the 18th century, when the Cabinet emerged as an executive committee operating without direct oversight from the monarch. Instead of a king or queen governing through their ministers, a Prime Minister and their colleagues came to "govern through the instrumentality of the Crown".[4]

1 First Lord of the Treasury

The First Lord of the Treasury is one of the Lords Commissioners of the Treasury. By long-standing custom and, since 1975, statute, this role has always been held by the Prime Minister (see **Section 11.2**).

Since the 17th century, the Lords Commissioners of the Treasury have collectively carried out duties that were previously held by the Lord High Treasurer (who was head of His Majesty's Treasury). Until the mid-19th century this role involved direct control of the Treasury and responsibility for financial policy. If First Lords sat in the Commons, then they combined this office with that of Chancellor of the Exchequer. In 1841, however, the Chancellor emerged as a powerful – and separate – office.

The Lords Commissioners of the Treasury also include:

- the **Second Lord of the Treasury**: the Chancellor of the Exchequer, who has most of the functional financial responsibilities
- **Junior Lords Commissioners of the Treasury**: other members of the government, usually whips in the House of Commons

10 Downing Street is the official residence of the First Lord of the Treasury, and not of the Prime Minister.[5]

Sir Robert Walpole was appointed First Lord of the Treasury in 1721 and became the dominant figure in government from around 1730, although he took care to refute this, "unequivocally" denying to the House of Commons in 1741 that he was the "sole and prime minister".[6] Sir Robert ceased being Prime Minister the following year and thereafter his successors usually informally

3 The Institution of Prime Minister, History of government blog. See also Andrew Blick and George Jones, Premiership: the development, nature and power of the office of the British Prime Minister, Exeter: Imprint Academic, 2010.
4 Sir William Anson, The Law and Custom of the Constitution Volume II: The Crown Part II (4th edition), Oxford: Clarendon Press, 1935, p54.
5 First Lord of the Treasury, Cabinet Office.
6 Sir Robert Walpole: Britain's first Prime Minister, National Archives blog, 1 April 2021.

acted as Prime Minister while formally holding the post of First Lord of the Treasury.[7]

In 1778, during the American War of Independence, the then Prime Minister, Lord North, wrote to King George III that "in critical times, it is necessary that there should be one directing Minister". And in 1803 William Pitt the Younger told Lord Melville of the need for an "avowed and real Minister, possessing the chief weight in the [Cabinet] Council, and the principal place in the confidence of the King".[8] By 1805, The Times newspaper began to use the term "Prime Minister", and it was also deployed in parliamentary debates. But even in 1878, William Gladstone, a Liberal premier, reflected that nowhere in the world was "there a man who has so much power, with so little to show for it in the way of formal title or prerogative".[9]

In 1974 the historian Lord Blake identified what he called three "turning points" in the history of the British premiership:

- 1782-84: a "change [...] from a monarch who was the real head of the executive, an active political force concerned with the day-to-day issues of government to a monarch with a veto – the right to dismiss the Prime Minister and so the right to prevent the implementation of policies he disliked"
- 1834-35: the shift "from the King's government to party government"
- 1867-84: a movement from "government by parties based on parliament to government by parties based on nation-wide organizations", a consequence of franchise expansion in 1867 and 1884[10]

Another important turning point was the decision of Sir Robert Peel in 1841 not personally to control the Treasury, instead entrusting this to the Chancellor. As Andrew Blick and George Jones have observed:

> The long-term consequence of this arrangement was to cut off the premiership from this departmental function. It was now more focused on overall government coordination and leadership, particularly through the Prime Minister's role as chair of the Cabinet.[11]

Gradually, the term began to be used in a formal context. In 1878, Benjamin Disraeli was referred to as "Prime Minister" when he signed the Treaty of Berlin;[12] the list of government ministers printed in Hansard appears to have first included the position in 1885; and in 1904 the Imperial Calendar (a

7 Walpole's portrait hangs on the wall behind the Prime Minister's seat in the Cabinet Room at 10 Downing Street. Portraits of every premier since Walpole also line the main staircase at Number 10.
8 The Institution of Prime Minister, History of government blog, 1 January 2012.
9 The Institution of Prime Minister, History of government blog, 1 January 2012.
10 Lord Blake, The Office of Prime Minister, London: British Academy, 1975, pp41-43.
11 The Institution of Prime Minister, History of government blog, 1 January 2012.
12 Treaty documents described Disraeli as, inaccurately, "Prime Minister of England".

predecessor to the Civil Service Yearbook) referred to A. J. Balfour as "Prime Minister and First Lord of the Treasury".[13]

The first statutory reference to the Prime Minister came in the Chequers Estate Act 1917, which specified Chequers as a prime-ministerial residence. But as E. C. S. Wade observed, by that point it would have been "merely pedantic to deny legal entity to the most important office in the Administration [when it has] been in existence for over two hundred years".[14]

Over the few decades before, the Prime Minister had secured the sole right to summon meetings of the Cabinet (1870), be questioned specifically in Parliament (1881) and the absolute right to remove ministers from office (1903). In 1918, meanwhile, the premier rather than the Cabinet gained the right to request a dissolution of Parliament.[15]

This accumulation of non-statutory functions drew criticism that the office of Prime Minister had become too powerful. The journalist Sidney Low argued in 1904 that for "the greater part of the past half century [...] The office of premier has become more than ever like that of an elective President".[16] Holders of the office often disagreed. In 1899 Lord Rosebery reflected that a:

> Prime Minister who is the senior partner in every department as well as president of the whole, who deals with all the business of government, who inspires and vibrates through every part, is almost, if not quite, an impossibility.[17]

Accompanying these developments were significant changes in support for the office of Prime Minister.

In 1806 public funding was made available for a single secretary to the First Lord of the Treasury, while a second was added in 1812. The demands of war prompted further reforms. In 1916 David Lloyd George established a "Prime Minister's Secretariat" (a team of advisers known colloquially as the "Garden Suburb") and a body which would become known as the Cabinet Office.[18] At its head was a non-political Cabinet Secretary whose job it was to take formal minutes of Cabinet meetings.[19] In 1928, the Prime Minister's Private Secretary became a civil servant rather than a personal appointee.[20] In 1940, meanwhile, Winston Churchill set up a prime-ministerial support team called the Statistical Section.[21]

13 In the previous edition Balfour had been merely "First Lord of the Treasury and Lord Privy Seal".
14 E. C. S. Wade, Introduction, in A. V. Dicey, Introduction to the Study of the Law of the Constitution (10th edition), London: Macmillan Education, 1958, ppclxxxvi-clxxxvii.
15 Peter Hennessy, The Prime Minister: The Office and its Holders Since 1945, London: Allen Lane, 2000, p49.
16 The Institution of Prime Minister, History of government blog, 1 January 2012.
17 Lord Rosebery, Sir Robert Peel, London: Cassell, 1899, p30.
18 The Institution of Prime Minister, History of government blog, 1 January 2012.
19 Until 1916 the only written account of Cabinet discussions was a letter drafted by the premier to the monarch. There were sometimes misunderstandings about what had been agreed.
20 Peter Hennessy, The Prime Minister: The Office and its Holders Since 1945, p50.
21 The Institution of Prime Minister, History of government blog, 1 January 2012.

2 Prime Minister of Northern Ireland

The Prime Minister of Northern Ireland was the head of the devolved Government of Northern Ireland between 1921 and 1972. Although no such office was provided for in the Government of Ireland Act 1920, the Lord Lieutenant of Ireland (later the Governor of Northern Ireland) followed Westminster convention by appointing a Member of the Northern Ireland House of Commons – who had to be a member of the Privy Council of Northern Ireland – to lead the devolved administration. On the advice of the first Prime Minister, Sir James Craig, the Lord Lieutenant created the Department of the Prime Minister,[22] which was a departure from Westminster precedent. This Department was the:

> channel of communication between the Governor and the Cabinet of Northern Ireland, and between that Cabinet and the Ministries of Northern Ireland, and forms the Cabinet Secretariat.[23]

The Government of Northern Ireland was dissolved in 1972 when "Direct Rule" from Westminster was introduced. The head of the short-lived Northern Ireland Executive in 1974 was styled "Chief Executive", and since the restoration of devolved institutions in 1999 the position has been known as First Minister. The holder of this office governs jointly with a deputy First Minister.

Key post-war developments including the creation of a Political Office at Downing Street (in 1964), a Policy Unit (1974), an Efficiency Unit (1979) and the Delivery Unit (2002). Public recognition of the existence of a "Prime Minister's Office" in the Civil Service Yearbook came as recently as 1977. A Downing Street Press Office, meanwhile, can be traced to the appointment of a press secretary, George Steward, in 1931.[24]

After the First World War, several observers continued to note the growth in the powers of the premiership. In 1920 Harold Laski argued that the Prime Minister had become "virtually the President of a State" and other members of the Cabinet "not colleagues who can weigh decisions, but subordinates who can accept them".[25] In 1956 F. W. G. Benemy wrote that any Prime Minister "for a time enjoys the power of an elected monarch".[26]

In his introduction to a new edition of Bagehot's The English Constitution, the Labour MP Richard Crossman claimed the "postwar epoch" had seen "the final transformation of Cabinet government into prime ministerial

22 Belfast Gazette, 7 June 1921.
23 Sir Arthur S. Quekett, The Constitution of Northern Ireland Part I: The Origin and Development of the Constitution, Belfast: HMSO, 1928, p36.
24 The Institution of Prime Minister, History of government blog, 1 January 2012.
25 Harold Laski, Mr. George and the constitution, Nation, 23 October 1920.
26 F. W. G. Benemy, The Elected Monarch: The Development of the Power of the Prime Minister, London: George G. Harrap, p249.

government".[27] Another Labour MP and academic, John P. Mackintosh, pictured the UK's form of government as "a cone":

> The Prime Minister stands at the apex, supported by and giving power to a widening series of rings of senior ministers, the Cabinet, its committees, non-Cabinet Ministers, and departments.[28]

This could be seen as a rebuke to Bagehot's claim that the Prime Minister was "primus inter pares" (first among equals).[29]

In 2004, Michael Foley said it was "no exaggeration to declare that the British premiership has to all intents and purposes turned, not into a British version of the American presidency, but into an authentic British presidency".[30]

However, in their 2010 book, Premiership: The Development, Nature and Power of the Office of the British Prime Minister, the academics Andrew Blick and George Jones identified what they called "errors" in the literature on the office of Prime Minister which had led to the conclusions that the office was "becoming a presidency, supplanting Cabinet, gaining dramatically in power, or conversely becoming weaker". Such "flawed interpretations", they added, "must be discarded".[31]

In a 1993 lecture, the historian David Dilks observed that no other "headship of government" bore the:

> same combination of duties or demands the same qualities; those of national leader, negotiator, debater, orator on solemn occasions, representative of a constituency, manager of a party, executive head of the government, minister responsible for the civil service, the intelligence services and security.[32]

Office holders took a more personal view. To H. H. Asquith, Liberal premier between 1908 and 1916, "the office of Prime Minister is what its holder chooses and is able to make of it".[33]

The "Museum of the Prime Minister" was founded by Robert Kilgour and Sir Anthony Seldon in 2023. The aim of the project is the creation of a new museum about the Prime Minister, which it considers "the most important democratic office in the United Kingdom".[34]

In line with established precedent, the government does not formally commemorate the anniversaries of the births of former Prime Ministers.[35]

3 Deputy Prime Minister

Like the office of Prime Minister, the role of Deputy Prime Minister has not been formalised in statute.[36] It first came into existence with Clement Attlee, who served as Winston Churchill's deputy during the wartime coalition of 1940-45. Attlee was officially recognised as Deputy Prime Minister when answering parliamentary questions,[37] but the term does not appear in Hansard again until 1995 and the appointment of Michael Heseltine.[38]

There has not always been a Deputy Prime Minister since 1940 and when it does exist, its holder usually occupies an additional office. In July 2001 a new Office of the Deputy Prime Minister was created within the Cabinet Office.[39] During the 2010-15 coalition government, the leader of the Liberal Democrats, Nick Clegg, served as Deputy Prime Minister.[40]

When Winston Churchill wished to appoint Sir Anthony Eden Deputy Prime Minister in 1951, King George VI objected on the basis that it undermined his prerogative choice of a successor should Churchill die or resign.[41]

It is standard practice for a "senior duty minister" to be designated when the Prime Minister is travelling or on holiday. "They can attend to urgent business or meetings if required," explained a Downing Street spokesperson in 2016. "The [Prime Minister] remains in charge and will be updated throughout."[42]

27 R.H.S. Crossman, Introduction to Walter Bagehot, The English Constitution, London: Collins/Fontana, 1963, pp51-52.
28 John P. Mackintosh, The British Cabinet, London: Stevens, 1962, pp451-52.
29 Walter Bagehot, The English Constitution.
30 Michael Foley, Presidential Attribution as an Agency of Prime Ministerial Critique in a Parliamentary Democracy: The Case of Tony Blair, British Journal of Politics and International Relations 6:3, 2004, p292.
31 Andrew Blick and George Jones, Premiership: The Development, Nature and Power of the Office of the British Prime Minister, London: Societas, 2010, p198.
32 David Dilks, The Office of Prime Minister in Twentieth-Century Britain, Hull: Hull University Press, 1993, p25.
33 Lord Oxford and Asquith, Fifty Years of Parliament II, London: Little Brown, 1926, p185. Asquith's grave erroneously describes him as having been "Prime Minister of England".
34 About Us – Museum of the Prime Minister.
35 Baroness Thatcher: Anniversaries, Cabinet Office, UIN 5928.
36 Commons Library research briefing SN04023, The office of Deputy Prime Minister.
37 HC Deb 9 September 1942 Vol 383 cc168-69W [Deputy Prime Minister (Duties)]
38 HC Deb 11 July 1995 Vol 263 cc496-97W [Deputy Prime Minister]
39 HC Deb 11 July 2001 Vol 371 cc573-75W [Departmental Responsibilities]
40 HC Deb 2 June 2010 Vol 510 cc22-23WS [Machinery of Government: Departmental Organisation]
41 John W. Wheeler-Bennett, King George VI: His Life and Reign, London: Macmillan, 1958, p544. Churchill withdrew his proposal.
42 Is Boris Johnson running the country?, BBC News online, 15 August 2016.

2 The appointment of a Prime Minister

As the constitutional expert Professor Rodney Brazier has observed:

> The office of Prime Minister exists by virtue of the royal prerogative. The Sovereign could lawfully appoint anyone to be Prime Minister, but is guided by constitutional conventions when making a choice.[43]

Legally, the Sovereign remains the ultimate executive authority in the UK, but that authority has largely been delegated to the Prime Minister.

2.1 The decision

The King has no formal adviser when it comes to appointing a new Prime Minister. The outgoing premier is occasionally consulted, but his or her advice is not considered binding. To Byrum E. Carter, this preserved "the fiction" that the premier was "the King's minister".[44]

Any degree of personal discretion over the choice of a Prime Minister was last exercised in 1963 by Queen Elizabeth II, following the resignation on grounds of ill health by Harold Macmillan. Even then, her choice of the Earl of Home followed broad consultation within the Conservative Party.[45]

The Cabinet Manual, which sets out the main laws, conventions and rules on the operation of government, states that Prime Ministers "hold office unless and until they resign".[46] Most commonly, a change of premier takes place following a general election. As the Cabinet Manual also states, the Prime Minister holds that position:

> by virtue of his or her ability to command the confidence of the House of Commons, which in turn commands the confidence of the electorate, as expressed through a general election.[47]

43 Rodney Brazier, Choosing a Prime Minister: The Transfer of Power in Britain, Oxford: Oxford University Press, 2020, p167.
44 Byrum E. Carter, The Office of Prime Minister, London: Faber and Faber, 1956, p42.
45 D. R. Thorpe, Alec Douglas-Home, London: Sinclair-Stevenson, 1996, pp306-12.
46 The Cabinet Manual, Cabinet Office, October 2011, paras 2.12-13.
47 The Cabinet Manual, para 3.1. After the 2019 general election, some supporters of Boris Johnson argued that he had a "personal mandate" from 14 million Conservative voters. In the view of Jacob Rees-Mogg, the UK had moved "to an essentially presidential system and that therefore the mandate is personal rather than entirely party, and that any [new] prime minister would be very well advised to seek a fresh mandate" (Hannah White, What Boris Johnson taught us about the UK constitution, Prospect magazine, 17 August 2022).

If an election results in an overall majority for a different party (as in 1997), then the incumbent Prime Minister will resign, and the Monarch will invite the winning party's leader to form a government.[48] There will sometimes be a telephone call in which the incumbent concedes defeat to the Leader of the Opposition.[49] If the election result is unclear (as in 2010) then it is for political parties "to determine and communicate clearly to the Sovereign who is best placed to be able to command the confidence of the House of Commons".[50]

If an incumbent Prime Minister's party wins an overall majority in a general election (as in 2019),[51] then they continue in office, their "authority" being "unbroken",[52] although by custom they still seek an audience with the Monarch.

It was once the case that if the nature of a government changed – such as if a cross-party coalition was formed or dissolved – then the Prime Minister would resign and immediately be reappointed. This occurred in 1931 and 1945[53] but not in 2015, when David Cameron simply informed Queen Elizabeth II of his "willingness to continue his commission as Prime Minister".[54]

If a Prime Minister chooses to resign when their administration has an overall majority (as in 2022 – twice), the practice is for the party or parties in government (and their members) to identify who can be chosen as the successor, by whatever means their internal party rules stipulate.[55] The Prime Minister only formally resigns once this process is over.[56] Whether doing so amounts to a duty has been questioned.[57] While an outgoing Prime Minister may advise the King to appoint a particular individual, this is considered non-binding.[58]

A Prime Minister must be an MP.[59] A peer has not served as premier since 1902.[60] Sir Alec Douglas-Home was a member of the House of Lords upon his appointment as Prime Minister on 19 October 1963 but renounced his peerage

48 The last time a Prime Minister was not also a party leader was in 1940, when Neville Chamberlain remained Conservative leader for six months after relinquishing the premiership.

49 John Major telephoned Tony Blair in May 1997. See John Major, The Autobiography, London: HarperCollins, 1999, p723.

50 The Cabinet Manual, paras 2.12-2.13.

51 No incumbent Prime Minister has ever lost their seat at a general election.

52 Margaret Thatcher, The Downing Street Years, London: HarperCollins, 1993, p17.

53 In 1931, a minority Labour government was replaced with a multi-party "National" government (both led by Ramsay MacDonald), and in 1945 a multi-party wartime coalition was succeeded by a Conservative "caretaker" administration ahead of a general election (both led by Winston Churchill).

54 Palace confirm David Cameron as PM after Queen meeting, ITV News website, 12 May 2015. A majority Conservative government had replaced the Conservative-Liberal Democrat coalition. See also The Mysteries of the Golden Triangle, Heywood Quarterly.

55 The history of changes of Prime Minister, Institute for Government, 21 June 2016.

56 For party leadership election processes see Commons Library research briefings SN01366, Leadership elections: Conservative Party and SN03938, Leadership Elections: Labour Party.

57 House of Lords Constitution Committee, The Cabinet Manual, HL107, 2011, para 61.

58 See, for example, Gordon Brown's resignation speech, Guardian, 11 May 2010.

59 This rule seems to have been firmly established in 1923 when Stanley Baldwin was chosen over Lord Curzon following the resignation of Andrew Bonar Law. It was confirmed when Churchill was chosen over Lord Halifax in 1940.

60 History of Robert Gascoyne-Cecil, 3rd Marquess of Salisbury, History of the UK government.

four days later and was elected an MP at a by-election on 7 November.[61] Prime Ministers must also be a Privy Counsellor, although incoming premiers usually already are (the last who was not was the Labour leader Ramsay MacDonald in 1924).[62]

2.2 The logistics

The arrangements for a change in Prime Minister are usually made by the Monarch and Prime Minister's respective private secretaries. Buckingham Palace will call an incoming premier to make arrangements. In 1964 Harold Wilson was told to "stand by",[63] while James Callaghan recalled being asked when it would "be convenient" for him to meet the Monarch in 1976.[64]

Following a general election, a new premier will usually arrive at Buckingham Palace (or another Royal residence) in their own car and leave in the Prime Minister's official vehicle, although there are exceptions: in 2010 David Cameron was driven to the Palace in the prime ministerial Jaguar despite not yet being Prime Minister.[65]

While most Prime Ministers resign or are appointed at Buckingham Palace, others have done so at Windsor. An exception was H. H. Asquith in 1908, who had to take a boat and a train to Biarittz in France, where King Edward VII was on holiday.[66] He is the only Prime Minister to have been appointed outside the UK. In September 2022, Liz Truss was appointed at Balmoral,[67] which had last occurred when Lord Salisbury became Prime Minister in 1885.[68]

61 History of Sir Alec Douglas-Home, History of the UK government. In 2011 Lord Lamont of Lerwick asked if plans for an elected House of Lords meant the Prime Minister could once again be a member of that House. Lord Strathclyde (the then Lords Leader) replied that: "[A]n important part of the plans for the reform of this House is the continued primacy of the House of Commons. The presence of the Prime Minister in the House of Commons therefore underlines that primacy" (HL Deb 14 March 2011 Vol 726 c6 [House of Lords: Membership]).

62 Commons Library research briefing CBP7460, The Privy Council: history, functions and membership, p43. As a result, MacDonald was sworn of the Privy Council before kissing hands as Prime Minister.

63 Harold Wilson, The Labour Government 1964-70: A Personal Record, London: Weidenfeld and Nicolson and Michael Joseph, 1971, p1.

64 James Callaghan, Time and Chance, London: Collins, 1987, p394.

65 David Cameron is new prime minister, Guardian, 11 May 2010.

66 History of Herbert Henry Asquith, History of the UK government.

67 Queen WILL appoint Liz Truss or Rishi Sunak as the next PM in Balmoral in historic first after 'suffering with mobility', Scottish Sun, 31 August 2022.

68 Nigel Fletcher (@nigelfletcher), X (Twitter), 26 August 2022 [Accessed 26 February 2024]. To be more specific, in 1885 Salisbury accepted Queen Victoria's commission to form a government at Balmoral but did not kiss hands as Prime Minister until a few days later at Windsor.

2.3 The resignation and appointment

According to the Cabinet Manual, it is for the Prime Minister to judge the "appropriate time at which to resign, either from their individual position as Prime Minister or on behalf of the government".[69]

When a Prime Minister has resigned or lost an election, recent custom is for them to be photographed with their families at Downing Street before they drive to the Palace.[70] Some have also held a final session of Prime Minister's Questions and made a speech outside Number 10 ("when the curtain falls," said John Major in 1997, "it's time to get off the stage").[71] Aerial cameras then follow the Prime Minister's car as it drives up Whitehall, along the Mall and through the front gates of the Palace.[72]

Prime Minister Liz Truss gives her resignation speech outside No 10 Downing Street in October 2022 (Simon Dawson / No 10 Downing Street, Creative Commons Attribution 2.0).

The Monarch meets the departing Prime Minister and their successor, often in quick succession. In the interim, certain executive powers are vested in the Monarch (until 1963, a gap of a day or two was not uncommon). Recently, it has become customary for a former Prime Minister's partner and children to be invited to meet the Monarch following their resignation.

A Prime Minister can resign in writing, which occurred in 1902, 1908 and 1963 on grounds of ill health. "My letter of resignation was sent and delivered to Palace at 9.30am," recorded Harold Macmillan in his diary on 18 October

69 The Cabinet Manual, para 2.10.
70 Gordon Brown's exit was worthy of Shakespeare, Guardian, 12 May 2010.
71 Major Quits As Tory Leader, BBC News online, May 1997.
72 The day Boris Johnson became prime minister, Guardian News, 2019.

1963. "So ended my premiership."[73] Queen Elizabeth II visited him in hospital later that morning.

When the outgoing premier has departed (in 2016, Theresa May's car entered the Palace gates 32 seconds after David Cameron's left), their successor will be greeted in the Palace courtyard by an equerry and the King's Private Secretary. They will wait in an antechamber to be briefed, after which they enter the Monarch's audience chamber.

Only the Monarch and incoming premier are present during this audience. The Monarch appoints a Prime Minister under the royal prerogative which forms part of the common law.[74] The Monarch does so by asking the new Prime Minister to form an administration, to which they usually respond "yes".

In October 1963, however, Sir Alec Douglas-Home asked for "leave to go away and see if I could form an administration",[75] as some in his party were reluctant to serve under him as Prime Minister. Having established that he could, he was appointed premier at his second audience. In 2010, David Cameron was appointed Prime Minister but told the Queen he "wasn't entirely sure what type of government it would be".[76]

When it is clear an individual can form a government, they are made Prime Minister, to quote Harold Wilson in 1964, "on the spot".[77] They also become First Lord of the Treasury from that moment,[78] although the Oath of Office (as First Lord) is taken at a later meeting of the Privy Council. There are no seals of office as Prime Minister.

There is also no kissing of hands, although that phrase is used to describe the process of appointment. This used to occur but may have fallen into abeyance (Tony Blair, however, recalls tripping on the carpet so he "practically fell upon the Queen's hands, not so much brushing as enveloping them").[79] Instead, an incoming male premier will bow and shake hands with the Monarch, and a female premier will curtsy. In recent years this moment has been photographed for the media.[80] There are no other formalities.

Having accepted this "commission" to form a government, there follows a brief exchange between the Monarch and their new Prime Minister. Gordon

73 Harold Macmillan, At the End of the Day 1961-1963, London: Macmillan, 1973, p516.
74 Commons Library research briefing CBP9877, The royal prerogative and ministerial advice, pp38-39.
75 Lord Home, The Way The Wind Blows: An Autobiography by Alec-Douglas Home, London: Collins, 1976, p185.
76 David Cameron, For the Record, London: William Collins, 2019, p12.
77 Harold Wilson, Labour Government, 1964-70: A Personal Record, p2.
78 This is certainly the view of the Palace, but there is an argument that a Prime Minister only becomes First Lord when the necessary Treasury Commission Letters Patent are issued under the Great Seal.
79 Tony Blair, A Journey, London: Hutchinson, 2010, p14. It seems likely Blair was confusing his appointment as Prime Minister with his Oath of Office as First Lord of the Treasury, when the Monarch's hands are indeed kissed. Sir William Anson dates the custom to the middle of the 19th century.
80 Theresa May appointed Prime Minister after meeting Queen at Buckingham Palace, Metro News, 13 July 2016.

Brown recalled "a congenial and businesslike conversation" with Queen Elizabeth II "about the work that lay ahead".[81]

The new Prime Minister again shakes hands with the Monarch and bows or curtsies before being shown out by an equerry. The appointment is published in the Court Circular and in a Downing Street press notice.

2.4 The departure

Some former Prime Ministers have returned to Downing Street after resigning despite no longer holding office. Neville Chamberlain did so in 1940 and on 6 April 1955, Sir Winston Churchill dealt with government business before giving a farewell tea party for staff. In 1976 Harold Wilson went to Chequers after his resignation; in 1997 John Major watched cricket at the Oval and, in 2007, Tony Blair travelled to his Sedgefield constituency.[82]

A newly appointed premier will be escorted out of the Palace (via the Ministers' Staircase) by the Monarch's Private Secretary, who now addresses them as "Prime Minister". As the Thatchers left through the Palace gates in 1979, "Denis [Margaret's husband] noticed that this time the Guards saluted" his wife.[83]

New Prime Ministers generally go to 10 Downing Street (which they inhabit by virtue of being First Lord of the Treasury) and make a speech. They announce their acceptance of the Monarch's commission to form an administration and then make a statement of intent.[84] Afterwards, a new Prime Minister traditionally enters Number 10 for the first time to applause from staff.

2.5 Prime Minister's pre-election functions

At an appropriate time towards the end of any Parliament, the Prime Minister writes to the leaders of the main opposition parties to authorise pre-election contacts with the Civil Service. The Cabinet Secretary has overall responsibility for co-ordinating this process once a request has been made and authorised by the Prime Minister.[85] As Lord Maude has observed, "this is by custom, not by right, and the agreement of the incumbent Prime Minister is required on each occasion".[86]

81 Gordon Brown, My Life, Our Times, London: The Bodley Head, 2017, p197.
82 Blair resigns as prime minister, BBC News online, 27 June 2007.
83 Margaret Thatcher, The Downing Street Years, p18.
84 See, for example, Remarks on becoming Prime Minister (St Francis's prayer), Margaret Thatcher Foundation website, 4 May 1979.
85 The Cabinet Manual, para 2.21.
86 Independent Review of Governance and Accountability in the Civil Service: The Rt Hon Lord Maude of Horsham, Modernisation and Reform (Cabinet Office), 13 November 2023, para 4.55.

In the period immediately preceding an election, the Cabinet Office also publishes guidance on activities in the run up to polling day. The Prime Minister writes to ministers in similar terms.[87]

For more on this, see Commons Library research briefing, Pre-election period of sensitivity.

2.6 Can a Prime Minister be dismissed?

A Prime Minister (and therefore his or her government) can be dismissed by the Monarch, although this last occurred in 1834.[88] It has happened more recently in other Commonwealth Realms. For example, Sir John Kerr, the then Governor-General of Australia, dismissed the Labor Prime Minister Gough Whitlam in 1975. The Speaker of the House of Representatives appealed to Queen Elizabeth II to intervene, but the Palace (correctly) said it was a matter for the Governor-General.[89]

The constitutional lawyer Robert Blackburn has argued that a monarch would be "duty bound" to dismiss a Prime Minister from office if he or she was "acting in manifest breach of convention". The example he gave was if a Prime Minister, following a successful no confidence motion in the Commons, refused to resign or call a general election.[90] Lord Armstrong, a former Cabinet Secretary, told the House of Lords Constitution Committee that the "very existence" of this power "should serve to ensure that it never needs to be exercised".[91]

2.7 How can a Prime Minister be removed?

Prime Ministers need to retain support from their party's MPs and, more broadly, the "confidence" of the House of Commons.

If a government loses its majority or is defeated in an important division in the House of Commons, then Members can table a motion of no confidence. If a Prime Minister was to lose such a vote, then it generally leads to a general election. This last occurred on 28 March 1979.[92] The then Labour premier

87 The Cabinet Manual, para 2.28.

88 This was King William IV's dismissal of Lord Melbourne and the appointment of Sir Robert Peel as his successor.

89 This incident has been extensively debated in Australia ever since. See The Crown's Irresponsible Adviser, the Governor General, and the Australian Constitutional Crisis of 1975: A Smoking Gun?, Oxford University Politics Blog. For a case in which the Judicial Committee of the Privy Council applied UK constitutional principles to a Nigerian case, see *Alhaji D. S. Adegbenro v Chief S. L. Akintola & Another* [1963] JCPC 5.

90 Robert Blackburn, Monarchy and the Personal Prerogatives, Public Law, 2004, p551.

91 Lords Constitution Committee, The Cabinet Manual, p23.

92 HC Deb 28 March 1979 Vol 965 cc461-590 [Her Majesty's Government (Opposition Motion)]

James Callaghan lost the vote and the election that followed. Margaret Thatcher succeeded him as Prime Minister.

MPs from an incumbent Prime Minister's party can also force a leadership election or apply pressure which leads to their resignation as party leader. Once a successor has been elected, then that individual will also resign as Prime Minister. This last occurred in October 2022, when Conservative MPs forced Liz Truss to resign as Conservative leader.[93]

2.8 Death or incapacity of a Prime Minister while in office

In the event of the permanent incapacity of a Prime Minister, then the appointment is a matter for the Sovereign "acting under the Royal Prerogative",[94] although, in practice, this would follow informal advice and long-standing constitutional convention.

In September 1918, the incumbent Prime Minister, David Lloyd George, was seriously ill during an influenza pandemic, while in the early 1950s both the Prime Minister, Sir Winston Churchill, and his acknowledged deputy, Anthony Eden, were incapacitated.[95]

Lord Norton of Louth has observed that despite the Brighton bombing of 1984 and the 1991 IRA mortar attack on Number 10, "no protocols were put in place to deal with the situation in the event of the prime minister being killed or succumbing to a fatal heart attack".[96]

In April 2020 Boris Johnson became ill with Covid-19. Johnson asked the Foreign Secretary and First Secretary of State, Dominic Raab, "to deputise for him where necessary".[97] According to the author Sir Anthony Seldon, Mr Raab would have "taken over pro tem [for the time being] had Johnson died", while the then Cabinet Secretary Mark Sedwill would have convened the Cabinet and told them: "You now need to make a recommendation to the queen of who should be appointed as the new prime minister."[98]

Documents released to the Covid-19 public inquiry in 2023 revealed that officials had planned for two scenarios, the Prime Minister being "ill but able to communicate" and being "unable to communicate his wishes". It was

93 Liz Truss resigns: PM's exit kicks off another Tory leadership race, BBC News online, 20 October 2022.
94 UIN 143136, 11 May 2018, Prime Minister
95 D. R. Thorpe, Eden: The Life and Times of Anthony Eden First Earl of Avon, 1897–1977, London: Random House, 2011, pp384-86.
96 Philip Norton, Governing Britain: Parliament, ministers and our ambiguous constitution, Manchester: Manchester University Press, 2020, p134.
97 Statement from Downing Street: 6 April 2020, Prime Minister's Office, 10 Downing Street, 6 April 2020.
98 Anthony Seldon with Jonathan Meakin and Illias Thoms, The Impossible Office? The History of the British Prime Minister, Cambridge: Cambridge University Press, 2021, p170.

agreed with the Royal Household that the premier's weekly audience with the Monarch would not go ahead in his absence.[99]

There is no such position as "Acting Prime Minister"[100] – although one could be appointed – and there is no automatic right of succession for a Deputy Prime Minister.[101] In a memorandum written in the 1970s, the Monarch's then Private Secretary, Sir Martin Charteris, proposed that if an Acting Prime Minister became necessary then it ought to be a member of the Cabinet who was not likely to be a candidate for their party leadership, for example whoever was Lord Chancellor.[102]

In 2011 the then Conservative MP Peter Bone urged the UK to adopt a US-style "line of succession" so that the public and military would know who was in charge in the event of an emergency.[103]

Seven British Prime Ministers have died while in office:

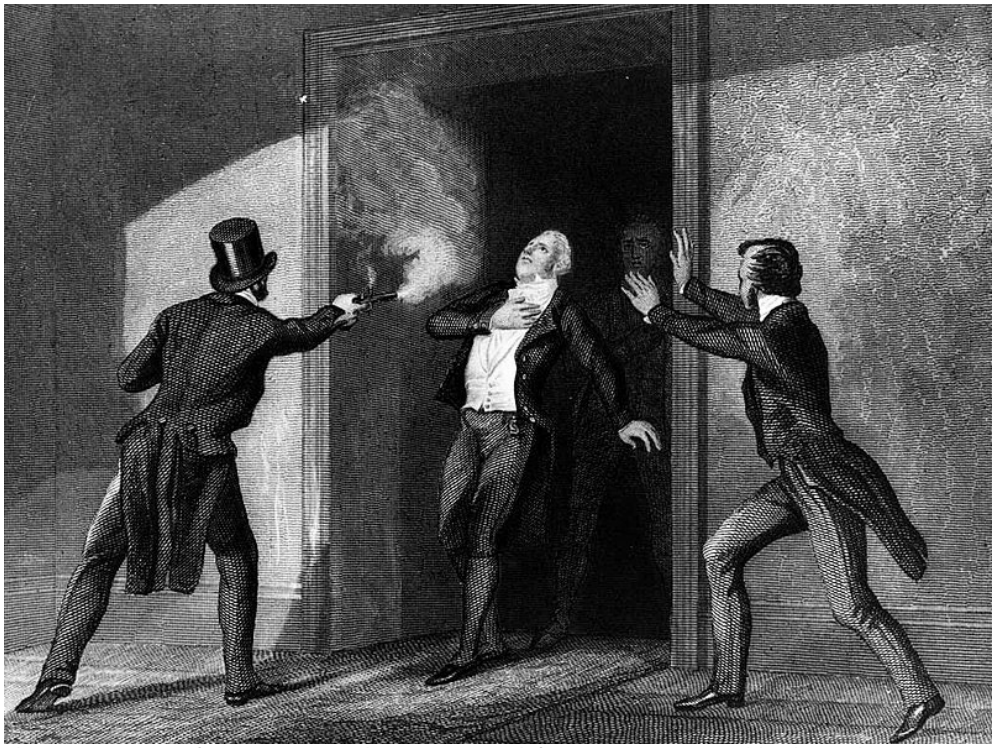
- Spencer Compton, Earl of Wilmington (1743)
- Henry Pelham (1754)
- Charles Watson-Wentworth, Marquess of Rockingham (1782)
- William Pitt the Younger (1806)
- Spencer Perceval (1812)
- George Canning (1827)
- Henry Temple, Viscount Palmerston (1865)

Spencer Perceval was the only Prime Minister to be assassinated while holding office.[104]

Although Sir Henry Campbell-Bannerman died at Number 10 Downing Street on 22 April 1908, he had resigned at Prime Minister on 3 April due to ill health.

Uniquely, the House of Commons was recalled in 2013 for tributes following the death of a former Prime Minister, Baroness Thatcher.[105]

99 How we manage while PM is ill, Covid-19 public inquiry, 1 November 2023.
100 Philip Norton, A temporary occupant of No.10? Prime Ministerial succession in the event of the death of the incumbent, Public Law 34, 2016, pp18-34. The Duke of Wellington served as Acting Prime Minister while Sir Robert Peel returned from the Continent to take up that office.
101 During the Second World War, however, King George VI asked Winston Churchill to tender formal advice regarding his successor should he die.
102 Constitutional conundrums: what happens if a Prime Minster resigns during an election campaign?, The Norton View blog, 9 June 2024.
103 MP urges 'line of succession' rules for prime minister, BBC News online, 21 December 2011.
104 History of Spencer Perceval, History of the UK government website.
105 HC Deb 10 April 2013 Vol 560 cc1613-1720 [Tributes to Baroness Thatcher]



The assassination of Spencer Perceval on 11 May 1812 (after Henry Warren, public domain).

2.9 Prime Ministers holding another office

It was once relatively common for a Prime Minister to occupy an additional office. Until 1942 the Prime Minister, if an MP, generally also acted as Leader of the House of Commons, although after 1922 these day-to-day duties were frequently delegated to a Deputy Leader.[106]

W. E. Gladstone was simultaneously Prime Minister and Chancellor from 1873 to 1874 and again from 1880 to 1882. Lord Salisbury held the office of Foreign Secretary while Prime Minister during three administrations between 1885 and 1902. In 1914, H. H. Asquith took the War Office for a short time to deal with the Ulster crisis. Ramsay MacDonald combined the premiership and the Foreign Office during 1924. Winston Churchill became Minister of Defence in 1940 and again in 1951. Clement Attlee was also Minister of Defence for a short time after 1945. Stanley Baldwin nominally took the office of Chancellor of the Exchequer in 1923, but only until Reginald McKenna decided whether to accept the post.[107]

106 Erskine May, para 4.7
107 Byrum E. Carter, The Office of Prime Minister, p168.

3 Prime Minister's functions

As part of the research for his book, The Prime Minister: The Office and Its Holders since 1945 (2000), Professor Peter Hennessy (later Lord Hennessy) compiled what he called a "cartography" of the Prime Minister's functions. This was based on a 1947 Cabinet paper entitled "Function of the Prime Minister and his staff".[108]

3.1 Constitutional and procedural

The first of Lord Hennessy's functions were categorised as constitutional and procedural. As this was written in 2011, this often refers to the Conservative-Liberal Democrat coalition which was in office at that time:

1. Managing the relationship between the government and the monarch
2. Managing the relationship between the government and opposition on a Privy Counsellor basis
3. Managing relationships between the UK Government and devolved administrations in Scotland, Wales and Northern Ireland
4. Establishing the order of precedence in Cabinet
5. Interpretation and content of the Ministerial Code and Cabinet Manual
6. Oversight of the Civil Service Code
7. Use of the ministerial override on disclosure under the Freedom of Information Act 2000
8. Requesting a dissolution of Parliament
9. Authorising the Cabinet Secretary to facilitate coalition negotiations
10. Managing, if necessary, intra-coalition relationships with the Deputy Prime Minister[109]

[108] Function of the Prime Minister and his staff, CAB 21/1638, London: The National Archives.
[109] Political and Constitutional Reform Committee, Written evidence submitted by Lord Hennessy, 21 February 2011.

Queen Elizabeth II with five of her Prime Ministers during her Golden Jubilee in 2002 (UK Government).

3.2 Managing the relationship between the government and the monarch

While premier, Sir Tony Blair described his role as both "the head of Her Majesty's Government" and "her principal adviser". He added that:

> These roles, including the exercise of powers under the royal prerogative, have evolved over many years, drawing on convention and usage, and it is not possible precisely to define them.[110]

The Cabinet Office Precedent Book (a forerunner to the Cabinet Manual) observed that: "Naturally the relationship between the Prime Minister and the King is closer than that of any other Minister."[111]

The Prime Minister advises the Monarch on the exercise of his statutory and prerogative functions, most frequently in relation to public appointments (see **Section 4**). They will also advise the King on overseas travel, speeches and meetings with foreign leaders.[112] As Rodney Brazier has observed:

> Of greatest political importance is the Prime Minister's personal authority, which stems from his ability to use, or to advise the Sovereign to use, certain prerogatives. If this country has prime ministerial government, it is based on

110 HC Deb 15 October 2001 Vol 372 c818W [Prime Minister's Powers]

111 Precedent Book: Part V – Relations with Buckingham Palace, CAB 181/7, Kew: The National Archives, Annex p1.

112 For more on ministerial advice, see Commons Library research briefing CBP9877, The royal prerogative and ministerial advice, pp18-28.

> the Prime Minister's personal authority which, although political in effect, is rooted in the prerogative.[113]

Walter Bagehot identified a monarch's "right to be consulted, the right to encourage, the right to warn".[114] In a letter to The Times, Sir William Heseltine, then Private Secretary to Queen Elizabeth II, took "three points to be axiomatic":

1. The Sovereign has the right — indeed a duty — to counsel, encourage and warn her Government. She is thus entitled to have opinions on Government policy and to express them to her chief Minister.
2. Whatever personal opinions the Sovereign may hold or may have expressed to her Government, she is bound to accept and act on the advice of her Ministers.
3. The Sovereign is obliged to treat her communications with the Prime Minister as entirely confidential between the two of them.[115]

This confidentiality has not always been observed. Following a "yes" vote in the 2014 Scottish independence referendum, David Cameron was overheard telling the former New York Mayor Michael Bloomberg that when he telephoned the Queen to tell her the result, she "purred down the line". He added: "I've never heard someone so happy."[116] The Palace later expressed "displeasure" when Cameron told the BBC he had asked for the Queen's "help" during that referendum.[117]

The Prime Minister has a weekly Audience with the Monarch at which the premier "informs him or her of the general business of the government".[118] This Audience is "entirely private".[119] Audiences can take place by telephone rather than in person.[120]

The Prime Minister once sent a daily report of parliamentary proceedings to the Monarch.[121] This now takes the form of a daily email from a government whip who is also a member of the Royal Household.[122]

It has become a custom that the Prime Minister (and their spouse) spend a weekend with the Monarch at Balmoral during August or September. This can include Sunday worship at Crathie Kirk.[123]

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113 Rodney Brazier, Ministers of the Crown, Oxford: Oxford University Press, 1997, p205.
114 Walter Bagehot, The English Constitution, p111.
115 The Times, 28 July 1986.
116 Queen purred over Scotland result, says David Cameron, BBC News online, 23 September 2014.
117 David Cameron: Palace 'displeasure' at former PM, BBC News, 19 September 2019.
118 The Cabinet Manual, para 3.5.
119 Audiences, Royal Family website.
120 Queen holds weekly telephone audience with PM despite having COVID, Sky News website, 24 February 2022.
121 According to Harold Nicolson, this "curious custom" was abandoned after July 1936 "by command of King Edward VIII" (King George V: His Life and Reign, pvi). In practice, it had often been delegated by the Prime Minister before that date, for example to Winston Churchill in 1910.
122 Queen Elizabeth is hooked on political gossip, Politico, 5 February 2022.
123 Sunak joins King Charles and Queen Camilla at Balmoral Sunday service, BBC News online, 3 September 2023.

The Prime Minister, as First Lord of the Treasury, is one of three Royal Trustees (the others are the Chancellor of the Exchequer and the Keeper of the Privy Purse). Together, they determine the annual value of the Sovereign Grant[124] which funds the Monarch's duties as head of state.[125]

Some former Prime Ministers have maintained a relationship with the Crown. Following the death of Diana, Princess of Wales in 1997, John Major was made a "special guardian" to Princes William and Harry, with responsibility for legal and administrative matters.[126] In November 1997 he successfully applied to the High Court for extra powers to protect their interests by stopping traders cashing in on memorabilia of their late mother.[127]

In December 1905 the Prime Minister was granted a place in the official order of precedence. Under a Royal Warrant, the Prime Minister has "place and precedence next after the Archbishop of York".[128] In Scotland the Prime Minister holds a similar position, following immediately after the Moderator of the General Assembly of the Church of Scotland.[129]

3.3 Managing the relationship between government and opposition

The Prime Minister is generally responsible for managing relations between his or her government and opposition parties. According to the Privy Council Office website:

> in very special circumstances [certain] matters will come to a Privy Counsellor on "Privy Council terms". These will mostly concern matters of the national interest where it is important for senior members of Opposition parties to have access to Government information.[130]

Briefings on Privy Council terms have occurred at the discretion of the Prime Minister. For example, Tony Blair briefed Iain Duncan Smith, the then Conservative Party leader, and Charles Kennedy, the then Liberal Democrat leader, ahead of a recall of Parliament to discuss the Iraq crisis in 2002. When the National Security Council, a Cabinet Committee, was established in 2010, this became a means by which opposition politicians could be briefed on Privy Council terms. The then Labour leader Ed Miliband attended discussions regarding Libya in 2011 and Syria in 2013; Labour's deputy leader Harriet Harman discussed Syria and ISIS in July 2015; and opposition leaders

124 Sovereign Grant Act 2011, section 6(1).
125 For full details, see Commons Library research briefing CBP9807, Finances of the Monarchy, pp7-12.
126 Why Sir John Major was named 'special guardian' to William and Harry, Express, 6 November 2019.
127 The Times, 29 November 1997.
128 London Gazette, 5 December 1905
129 Dermot Englefield, Janet Seaton and Isobel White, Facts About the British Prime Ministers, London: Mansell, 1995, ppxxi-xxii.
130 Privy Council Office website, History.

took part in discussions in April 2018, prior to military action in Syria.[131] There was also a briefing for opposition Privy Counsellors in March 2019 on "the impact of [a] No Deal" Brexit.[132]

Since 1961 every new leader of each of the main political parties in the House of Commons has been made a member of the Privy Council, if not one already, upon the Prime Minister's advice.[133]

3.4 Managing intergovernmental relations

Overall responsibility for intergovernmental relations (IGR) – that is relations between the UK Government, Scottish Government, Welsh Government and the Northern Ireland Executive – rests with the Prime Minister, the First Ministers of Scotland and Wales and the First and deputy First Minister of Northern Ireland.[134]

IGR is overseen by the overarching Prime Minister and Heads of Devolved Governments Council ("the Council").[135] Annual meetings of the Council are chaired by the Prime Minister.[136] It is anticipated that the Prime Minister will also engage with First Ministers and other elected leaders, for example England's Metro Mayors, beyond these structures.[137] Since October 2024 the Prime Minister has chaired biannual meetings of the Council of the Nations and Regions at locations around the UK. This comprises the Prime Minister and Deputy Prime Minister, the Chancellor of the Duchy of Lancaster, the devolved First Ministers, the Mayor of London and Mayors of Combined Authorities.[138]

Other aspects of IGR take place within the framework of the 1998 Belfast/Good Friday Agreement. This established the British-Irish Council (BIC) with a secretariat based (since 2012) in Edinburgh.[139] The Prime Minister's attendance at the BIC has been irregular. In November 2022, Rishi Sunak was the first UK Prime Minister to attend a BIC summit since 2007, when the Council met in Blackpool.[140]

131 HC Deb 17 April 2018 Vol 639 c201 [Military Action Overseas: Parliamentary Approval]
132 Alan Duncan, In the Thick of It: The Private Diaries of a Minister (kindle edition), London: William Collins, 2021, p437.
133 Rodney Brazier, Choosing a Prime Minister, p10.
134 Review of Intergovernmental Relations, Cabinet Office, 13 January 2022.
135 Before 2022, the Prime Minister (or a representative) chaired a non-statutory Joint Ministerial Committee.
136 Prime Minister to chair new council with devolved governments, Department for Levelling Up, Housing and Communities and the Cabinet Office, 13 January 2022.
137 For full details, see Commons Library research briefing CBP8371, Intergovernmental relations in the United Kingdom.
138 Council of the Nations and Regions: Terms of Reference, Cabinet Office, 17 October 2024.
139 About the Council, British-Irish Council website.
140 UK government hosts British-Irish Council in Blackpool to bring islands closer together, Department for Levelling Up, Housing & Communities, 11 November 2022.

Another body established under the Belfast/Good Friday Agreement was the British-Irish Intergovernmental Conference (BIIGC), which subsumed the Anglo-Irish Intergovernmental Council and Intergovernmental Conference established under the 1985 Anglo-Irish Agreement. Meetings are normally chaired by the Irish Minister for Foreign Affairs and the Secretary of State for Northern Ireland, although provision is made for "summit" meetings between the UK Prime Minister and Taoiseach (as in 1999 and 2005).

Prime Minister David Cameron greets First Minister Alex Salmond shortly before signing the 2012 Edinburgh Agreement on the terms for an independence referendum (Scottish Government).

Boris Johnson appointed himself "Minister for the Union" in 2019, but without a new department.[141] Sir Keir Starmer also took over this title when he became Prime Minister in 2024. As Minister for the Union, the Prime Minister works to "ensure that all of government is acting on behalf of the entire United Kingdom: England, Northern Ireland, Scotland, and Wales".[142]

3.5 Establishing Cabinet order of precedence

Section 4.38 of the Cabinet Manual notes that in the absence of the Prime Minister, Cabinet should be chaired by "the next most senior minister [...] following the order of precedence as determined by the Prime Minister". The Manual gives no further guidance on that process.[143]

In reply to a 2013 Freedom of Information request, the Cabinet Office said that the current order of preference is set out in the order of listing on the Ministers webpage.[144]

141 Boris Johnson accused of 'cynical rebranding' after appointing himself 'Minister for the Union', Independent, 26 July 2019.
142 Minister for the Union, Cabinet Office and Prime Minister's Office.
143 Cabinet Manual, para 4.38.
144 Freedom of Information Act request (ref FOI1318080), Cabinet Office, 30 September 2013.

The 1992 Cabinet Office Precedent Book said that precedence was "guided partly by tradition and partly by political and personal considerations". Nevertheless, it noted that the offices of "Lord Chancellor, Lord President of the Council, Chancellor of the Exchequer, Secretary of State for Foreign and Commonwealth Affairs and Secretary of State for the Home Department normally carry high precedence."[145]

That said, an article on the role of the First Secretary of State suggested that different Prime Ministers seem to have regarded the importance of the concept in various ways:

> Some premiers have not taken this list too seriously. [Harold] Macmillan noted that he thought it 'all rather "nonsense" and [would] much prefer an order based on the traditional dignity of the office, instead of a batting order of merit'. [Harold] Wilson, on the other hand, did take it seriously.[146]

In what the authors describe as a "typical fudge", David Cameron appointed William Hague and later George Osborne as First Secretary and his "political deputy", while Nick Clegg was formerly Deputy Prime Minister.[147]

Where the Prime Minister is unable to attend Cabinet, the next most senior minister takes the chair (following the order of precedence as determined by the premier).[148]

3.6 Interpretation and content of the Ministerial Code and Cabinet Manual

Ministerial Code

The Ministerial Code sets out the standards and conduct expected of Ministers of the Crown.[149] It is a combination of ethical principles and procedural guidance. Ministers are also expected to observe the Code of Conduct for MPs or for Members of the Lords and the guidance brought together in the Cabinet Manual (see below). Adherence to the Code is a matter for the Prime Minister, not for the Speaker or the House authorities.[150]

It has become customary for a new version of the Ministerial Code to be published when there has been a change of Prime Minister. New versions have

145 Cabinet Office, Precedent Book: Chapter 5, August 1992, para 5.53-5.54. This observation pre-dated significant changes to the office of Lord Chancellor.
146 Stephen Thornton and Jonathan Kirkup, From Rab to Raab: The Construction of the Office of First Secretary of State, Parliamentary Affairs 76:1, January 2023, p196.
147 Stephen Thornton and Jonathan Kirkup, From Rab to Raab: The Construction of the Office of First Secretary of State, p201.
148 The Cabinet Manual, para 4.38.
149 This document was previously entitled "Questions of Procedure for Ministers" and was not published publicly until 1992. It was renamed the "Ministerial Code: A Code of Conduct and Guidance on Procedures for Ministers" by the first government of Tony Blair in July 1997.
150 HC Deb 8 July 2014 Vol 584 c163 [Points of Order]

also been published when there is a significant change of content. The latest edition of the Ministerial Code was issued on 6 November 2024.[151]

The Prime Minister writes a foreword to each edition of the Code and can use this to set the tone for their style of government. In November 2024, Sir Keir Starmer's foreword stated that:

> Restoring trust in politics is the great test of our era. The British people have lost faith in its ability to change their lives for the better. For a long time, they have looked at the conduct of politicians in Westminster and not seen the high standards of public service they expect or deserve.
>
> This Government was elected to change this. It is a crucial part of our wider mandate to return Britain to the service of working people. Because failure to meet those high standards will always weaken the bond of respect between a government and the people it must serve. A bond that, if strengthened, will accelerate our efforts to take Britain forward.[152]

Section 1.6 of the Code explains that the Prime Minister ultimately oversees ministerial conduct and enforcement. Although ministers are "personally responsible for deciding how to act and conduct themselves in the light of the Code and for justifying their actions and conduct to Parliament and the public", the Code notes that they will "only remain in office for so long as they retain the confidence of the Prime Minister".[153]

Since 2006 the Prime Minister has appointed an Independent Adviser on Ministerial Standards (previously the Independent Adviser on Ministers' Interests) who acts as an independent check and source of advice to government ministers on the handling of their private interests. The Prime Minister may instruct the Independent Adviser or the Cabinet Office to investigate any alleged breach of the Ministerial Code. They may also ask for an investigation to be brought to a halt if there are "public interest reasons for doing so", although the Independent Adviser may in most cases ask for the reasons to be made public.[154]

On 15 June 2022 Lord Geidt resigned as the Prime Minister's Independent Adviser. In his Annual Report (published on 31 May 2022) he had commented:

> It may be especially difficult to inspire that trust in the Ministerial Code if any Prime Minister, whose code it is, declines to refer to it. In the case of the Fixed Penalty Notice recently issued to and paid by the Prime Minister [Boris Johnson], a legitimate question has arisen as to whether those facts alone might have constituted a breach of the overarching duty within the Ministerial Code of complying with the law. It may be that the Prime Minister considers that no such breach of his Ministerial Code has occurred. In that case, I believe a Prime Minister should respond accordingly, setting out his case in public.[155]

151 Ministerial Code, Cabinet Office, 6 November 2024.
152 Ministerial Code, Foreword.
153 Ministerial Code, para 1.6.
154 Ministerial Code, para 1.4.
155 Annual Report of the Independent Adviser on Ministers' Interests: May 2022, 31 May 2022, p4.

Doubts about adherence to the Ministerial Code continued under Rishi Sunak. As Prime Minister, he appointed Suella Braverman Home Secretary shortly after she had resigned from the same post on 19 October 2022. At that point she said she had resigned having breached the Ministerial Code.[156]

The 2024 Labour Party manifesto pledged to give the Independent Adviser on Ministerial Standards "powers to start investigations into misconduct and ensure they have access to the evidence they need".[157] As of October 2025, the Advisory Committee on Business Appointments' function to provide independent advice in respect of former ministers will be transferred to the Prime Minister's Independent Adviser on Ministerial Standards.[158]

Also in October 2025, an Ethics and Integrity Commission will be established by strengthening and reforming the existing Committee on Standards in Public Life. The Commission's expanded role will include a new obligation to report annually to the Prime Minister on the overall health of the UK's standards system.[159]

Further information about the Ministerial Code and its operation is available in the Commons Library research briefing, The Ministerial Code and the Independent Adviser on Ministers' Interests.

Cabinet Manual

The Cabinet Manual is a document which sets out "the main laws, rules and conventions affecting the conduct and operation of Government".[160]

In February 2010, the then Prime Minister, Gordon Brown, announced he had asked the Cabinet Secretary:

> to lead work to consolidate the existing unwritten, piecemeal conventions that govern much of the way central government operates under our existing constitution into a single written document.

A full draft was published for consultation in December 2010 and the final version published in October 2011. The House of Commons Political and Constitutional Reform Select Committee observed in 2014 that "for the first time" this meant the public saw the "Whitehall view of the office of Prime Minister".[161]

156 Suella Braverman was in denial over forced resignation, sources say, BBC News online, 28 October 2022. In *R (FDA) v Prime Minister* [2021] EWHC 3279 (Admin), the First Division Association trade union contended that the Prime Minister (Boris Johnson) had misdirected himself in deciding that Priti Patel, the then Home Secretary, had not breached the Ministerial Code despite his Independent Adviser finding that she had. Although the High Court found this claim justiciable, it ruled that the Prime Minister had not misdirected himself.

157 Change Labour Party Manifesto 2024, London: Labour Party, June 2024, p107.

158 Government of service, 21 July 2025, Statement UIN HCWS870.

159 Government of service, 21 July 2025, Statement UIN HCWS870.

160 The Cabinet Manual, Cabinet Office, 14 December 2010.

161 Role and powers of the Prime Minister, para 7.

In the foreword to the first edition, David Cameron, the then Prime Minister, noted that it was the "first time the conventions determining how the Government operates are transparently set out in one place".[162] It is intended as a guide rather than a set of rules and is not legally binding.[163]

In 2021 the House of Lords Constitution Committee held an inquiry called "Revision of the Cabinet Manual".[164] The former Cabinet Secretary Lord Sedwill said it was for the Prime Minister to initiate updates. He suggested it should become a routine practice to present a revised draft to the Prime Minister at the beginning of each Parliament, as already happens with similar documents.[165]

Reflecting on what they characterise as the "worrying tendency" of Boris Johnson and others "to bypass non-binding constraints" of the type set out in the Cabinet Manual, Lord Hennessy and Andrew Blick have argued that incoming premiers ought to swear an oath requiring them to "uphold and respect the conventions and expectations contained in the Ministerial Code, the Cabinet Manual, and the Seven Nolan Principles of Public Life".[166]

In a 2022 Lords debate, Lord True noted that the revised manual would ultimately have to be approved by the Prime Minister, who was in turn accountable to Parliament. The Government said it did not support proposals for a prime ministerial oath.[167]

3.7 Oversight of the Civil Service Code

The Civil Service was traditionally regulated by Orders in Council made under the royal prerogative. Section 3(1) of the Constitutional Reform and Governance Act 2010 placed the Civil Service Commission (CSC) on a statutory basis and provided the Minister for the Civil Service (by convention the Prime Minister) with a statutory power similar to the old prerogative power "to manage the civil service".

The Prime Minister may delegate these powers to other ministers and the devolved administrations under the Civil Service (Management Functions) Act 1992. The 2010 Act also stipulates that the Minister for the Civil Service must publish a Code of Conduct for the Civil Service.[168]

The Civil Service Commission is required under the 2010 Act to produce a document, known as the Recruitment Principles, which governs how external

162 The Cabinet Manual, piii.
163 The Cabinet Manual, piv.
164 Lords Constitution Committee, Revision of the Cabinet Manual, HL 34, 8 July 2021.
165 Lords Constitution Committee, Oral evidence: Revision of the Cabinet Manual, 26 April 2021, Q2.
166 Peter Hennessy, Post-Johnson, constitutional combustion continues. But the fire can be extinguished, Constitution Society, 10 November 2022.
167 HL Deb 16 December 2022 Vol 826 cc937-38 [Cabinet Manual: Revision (Constitution Committee Report)]
168 Constitutional Reform and Governance Act 2010, section 5.

appointments are made. The Recruitment Principles can be revised by the CSC but only with the Prime Minister's agreement.[169]

The Civil Service Code sets out the values and standards that civil servants must observe, as well as their rights and responsibilities. It is periodically updated, most recently in 2015.[170]

There is further information in the Commons Library research briefing, The Civil Service Code.

3.8 Ministerial override on disclosure under the Freedom of Information Act 2000

In Lord Hennessy's 2011 cartography of prime ministerial functions, he included decisions, with the Justice Secretary, "on whether and when to use the ministerial override on disclosure" under the Freedom of Information Act 2000 ("the 2000 Act").

The 2000 Act does not explicitly name the Prime Minister, although historically the premier decided classification levels for official information. Rather, section 53 provides that a "Minister of the Crown" (which includes the Prime Minister) can over-ride a decision of the Information Commissioner requiring disclosure.[171]

The Prime Minister generally leads on matters relating to national security (see **Section 9**).

3.9 Requesting a dissolution of Parliament

The Prime Minister can "request" that the King dissolves Parliament to facilitate a general election.

Until 1910, advice to dissolve Parliament was submitted by the Prime Minister on behalf of the Cabinet, but since 1918 the decision has usually been taken by the Prime Minister alone, although he or she will naturally consult Cabinet colleagues.[172] Once a Prime Minister has made the decision to call a general election, "no formal document need pass at any point from the Prime Minister to The [King], to the Privy Council Office, or to Parliament", although the premier must seek an audience with the King or, if they are abroad, "a written

169 Independent Review of Governance and Accountability in the Civil Service: The Rt Hon Lord Maude of Horsham, para 6.2
170 Civil Service Code, Civil Service, 16 March 2015.
171 Freedom of Information Act 2000, section 53.
172 Ivor Jennings, Cabinet Government (3rd edition), Cambridge: Cambridge University Press, 1961, p418.

exchange".[173] A Proclamation must also be approved at a meeting of the Privy Council.[174]

The Fixed-term Parliaments Act 2011, described by Professor Robert Hazell as "a very significant surrender of prime ministerial power",[175] replaced this system with automatic dissolution of Parliament following a fixed term of five years. The Dissolution and Calling of Parliament Act 2022 subsequently "revived" the royal prerogative of dissolution, on the request of the Prime Minister.[176]

The conventions governing a request for dissolution have been widely discussed. When, in 1950, there was speculation Clement Attlee might seek a second election, Sir Alan Lascelles, then Private Secretary to George VI, wrote to The Times (under the pseudonym "Senex") explaining that "no wise sovereign" could deny a dissolution request unless he or she was satisfied that:

> (1) the existing Parliament was still vital, viable, and capable of doing its job;
>
> (2) a General Election would be detrimental to the national economy;
>
> (3) he could rely on finding another Prime Minister who could carry on his Government, for a reasonable period, with a working majority in the House of Commons.[177]

By the 1990s, however, the constitutional expert Sir Vernon Bogdanor believed the Crown's right to refuse a dissolution only existed if such a request "would be an affront to, rather than an expression of, democratic rights".[178]

In 2022 there was speculation Boris Johnson might request a dissolution rather than resign as Prime Minister. Several writers later described a plan by senior officials at the Palace and Downing Street to prevent the Prime Minister providing such advice to Queen Elizabeth II. According to a "senior Whitehall insider" quoted by the Financial Times:

> "If there was an effort to call an election, Tory MPs would have expected [Sir Graham] Brady [chairman of the 1922 Committee] to communicate to the palace that we would be holding a vote of confidence in the very near future and that it might make sense for Her Majesty to be unavailable for a day."

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173 Precedent Book: Chapter 5 part 2, 1992, Annex G(i) pp5 and 28. Prior to the 1950 election, Clement Attlee wrote to King George VI at Sandringham, while in 1966 Harold Wilson communicated with Queen Elizabeth II while she was in the West Indies.

174 In February 1974 the necessary Proclamation was approved by two Counsellors of State acting on the Queen's behalf, Queen Elizabeth the Queen Mother and Princess Margaret. Edward Heath had sent his request by telegram, and the Queen's approval was communicated by the same means from New Zealand. Copies of these telegrams were given to the Counsellors of State (The Times, 8 February 1974).

175 House of Commons Political and Constitutional Reform Committee, The role and powers of the Prime Minister: The impact of the Fixed-term Parliaments Act 2011 on Government, HC 440, 25 July 2013, p3.

176 The first such requested under the "revived" prerogative took place on 22 May 2024. See Commons Library research briefing, Dissolution of Parliament: recent developments.

177 The Times, 2 May 1950.

178 Vernon Bogdanor, Monarchy and the Constitution, Oxford: Clarendon Press, 1995, pp159-62.

> Another senior official confirmed it would be politely communicated to Downing Street that Her Majesty "couldn't come to the phone" had Johnson requested a call with the intention of dissolving parliament.[179]

In the event, no such request was made, and Boris Johnson resigned as Prime Minister on 6 September 2022.

Prorogation

The Monarch can prorogue Parliament on the advice of the Prime Minister. This is usually routine. However, Boris Johnson's request that Queen Elizabeth II prorogue Parliament in 2019 was overturned by the Supreme Court. This ruled that his advice to the Queen "was outside the powers of the Prime Minister".[180]

Recall

Under House of Commons Standing Order No 13 (2015), the Prime Minister can ask the Speaker to recall Parliament while it is on recess. The Speaker decides whether to grant such a request.[181] For example, in August 2013, David Cameron asked the Speaker to recall Parliament to discuss events in Syria.[182]

First meeting

The date of the first meeting of a new Parliament is determined by a Proclamation issued by the Sovereign, on the advice of the Prime Minister.[183]

3.10 Authorising coalition negotiations

In situations where there is a "hung" Parliament (as in 2010 and 2017) or when an incumbent government loses its majority (as in 1977), then the Prime Minister will generally authorise inter-party negotiations which may lead (as in 1977 and 2017) to a confidence-and-supply arrangement or (as in 2010) to a formal coalition.[184]

Following the general election in May 2010, the Prime Minister (Gordon Brown) authorised the Civil Service to provide such support to negotiations between political parties. As the Cabinet Manual states:

> If the leaders of the political parties involved in any negotiations seek the support of the Civil Service, this support may only be organised by the Cabinet

179 In the Bunker: Boris Johnson's last stand, Financial Times, 18 November 2022.
180 *R v The Prime Minister* [2019] UKSC 41, para 69.
181 Standing Orders of the House of Commons, SO 13, 2015. Standing Orders refer to "His Majesty's Ministers" rather than the Prime Minister.
182 David Cameron recalls parliament over Syria crisis, Guardian, 27 August 2013.
183 The Cabinet Manual, para 2.4.
184 Edward Heath also initiated unsuccessful coalition negotiations with the Liberals in February 1974.

> Secretary with the authorisation of the Prime Minister. If the Prime Minister authorises any support it would be focused and provided on an equal basis to all the parties involved, including the party that was currently in government.[185]

3.11 Managing intra-coalition relationships

The most recent coalition in the UK was between the Conservatives and Liberal Democrats from 2010 to 2015.

How this relationship was supposed to work was set out in a Coalition agreement for stability and reform, which was published in May 2010. This stated that:

> Close consultation between the Prime Minister and Deputy Prime Minister, other Ministers and members of the Conservative and Liberal Democrat Parties in both Houses will be the foundation of the Coalition's success.[186]

The Prime Minister and Deputy Prime Minister were also members of a Cabinet Committee known as "The Quad", which dealt with disputes between the two parties over government policy.[187]

185 The Cabinet Manual, paras 2.14-2.15.
186 Coalition agreement for stability and reform, Cabinet Office, May 2010, Introduction.
187 The Quad in UK Government, Britpolitics website. The Quad's other members were the Conservative Chancellor George Osborne and Liberal Democrat Chief Secretary to the Treasury Danny Alexander.

4 Appointments

The second of Lord Hennessy's prime ministerial functions were appointments, most of which are made by the Sovereign following advice from the Prime Minister:

1. Appointment and dismissal of ministers
2. Headships of the Security Service, the Secret Intelligence Service and GCHQ
3. Home Civil Service, the Diplomatic Service and the Armed Forces
4. Ecclesiastical
5. Residual academic
6. Public sector and regulators
7. Inquiries and Royal Commissions
8. The award of party-political honours
9. Party-political appointments to the House of Lords[188]

As Prime Minister in 1977, James Callaghan provided Parliament with a list of "paid appointments" on which it was his duty to advise the Queen.[189] In 1994, John Major provided a similar list of "those appointments on which at the present time I advise Her Majesty the Queen".[190] As of December 2024, the Prime Minister was "directly responsible for public appointments to 61 bodies and offices across government departments".[191]

For a full list of statutory and prerogative appointments on which the Prime Minister advises the King, see the supporting documents (an Excel spreadsheet) on the landing page for Commons Library research briefing, The royal prerogative and ministerial advice.

188 Political and Constitutional Reform Committee, Written evidence submitted by Lord Hennessy, 21 February 2011.
189 HC Deb 19 May 1977 Vol 932 cc232-5W [Prime Minister (Appointments)]
190 HC Deb 31 October 1994 Vol 248 cc919-20 [Public Appointments]
191 Prime Minister: Public Appointments, Cabinet Office, UIN 17545.

4.1 Appointment and dismissal of ministers

The Cabinet Manual states that:

> It is for the Prime Minister to advise the Sovereign on the exercise of the Royal Prerogative powers in relation to government, such as the appointment, dismissal and acceptance of resignation of other ministers.[192]

On becoming Prime Minister in July 2016, for example, Theresa May made a formal submission to Queen Elizabeth II recommending the appointment of her new government. This began:

> Mrs May, with her humble duty to The Queen, has the honour to recommend the attached list of ministerial appointments for Your Majesty's most gracious approval.

The Queen signified her acceptance of the advice by writing "Approved" along with her initials in the upper right-hand corner of the submission.[193] Some senior ministers receive seals of office,[194] while the appointments of more junior ministers "generally take effect from when the Sovereign accepts the Prime Minister's recommendation of the appointment".[195]

Under the 2010 Coalition Agreement for Stability and Reform, David Cameron agreed that certain prerogative powers, including the appointment of ministers and Privy Counsellors, would only be exercised following consultation with the Deputy Prime Minister, Nick Clegg.[196]

Privy Counsellors are appointed by the King on the advice of the Prime Minister. Recommendations are made on the basis that the individual concerned "is involved in affairs of state or has a close and confidential relationship with the Crown".[197] They are usually notified in advance by letter, which states that the Prime Minister is minded to recommend they be appointed a Privy Counsellor. The Prime Minister will then make a formal submission to the King advising him to make the appointment.

192 The Cabinet Manual, p21.
193 The Queen And Government Appointments, A Venerable Puzzle blog, 10 January 2018.
194 For a full list, see Commons Library research briefing CBP7460, The Privy Council: history, functions and membership, p57.
195 The Cabinet Manual, p23. The 1992 Cabinet Office Precedent Book stated that: "The appointment of a Parliamentary [Under] Secretary is theoretically made by the Minister under whom he serves but is in practice now made by the Prime Minister, usually in consultation with the Minister concerned. It is not constitutionally necessary for the names of Parliamentary Secretaries to be submitted to The Sovereign, but this is now invariably done" (Cabinet Office, Precedent Book: Chapter 5, August 1992, para 5.48).
196 Coalition agreement for stability and reform – May 2010, Prime Minister's Office, 20 May 2010.
197 HL Deb 26 Oct 2009 Vol 713 cWA106 [Privy Council]

Under section 15 of the Constitutional Reform and Governance Act 2010, the Prime Minister must approve the appointment of a "special adviser" to a Minister of the Crown.[198]

Although MPs and peers rather than ministers, since 2012 the Prime Minister has appointed a network of international trade envoys.[199]

The Ministerial Code states that while Cabinet ministers and Ministers of State may appoint Parliamentary Private Secretaries, all appointments require the prior written approval of the Prime Minister.[200]

During the 2010-15 coalition government, the initial allocation of Cabinet, ministerial, whip and special adviser appointments between the two coalition parties was agreed between the Prime Minister (David Cameron) and the Deputy Prime Minister (Nick Clegg). Future allocations were agreed on the same basis and "approximately in proportion to the size of the two Parliamentary parties". The Prime Minister, following consultation with the Deputy Prime Minister, made nominations (to the then Queen Elizabeth II) for the appointment of ministers. Law officers were agreed jointly. Privy Council appointments were made following "full consultation between the Prime Minister and Deputy Prime Minister".[201]

Where a minister resigns their post by writing to the Prime Minister, it is often the case that the exchange of letters is published.[202] It is unclear whether a premier is required to inform the King of ministerial resignations, or whether this is implicit when a successor is nominated.[203]

4.2 Security Services

The Director General of the Security Service (MI5) is appointed by the Home Secretary with the agreement of the Prime Minister.[204] According to Geoffrey Marshall, the Director General has a "right of direct access to the Prime Minister".[205]

The Foreign Secretary, with the agreement of the Prime Minister, approves the appointment of the Chief of the Secret Intelligence Service (MI6).[206]

198 For the history of prime ministerial special advisers, see Andrew Blick and George Jones, At Power's Elbow: Aides to the Prime Minister from Robert Walpole to David Cameron, London: Biteback, 2013.
199 Role of the prime minister's trade envoys, House of Lords Library.
200 Ministerial Code, Cabinet Office, para 3.6.
201 Coalition agreement for stability and reform, paras 1.1-1.5.
202 The Cabinet Manual, para 3.20.
203 In his resignation letter in October 2022, the Conservative MP Jacob Rees-Mogg asked the Prime Minister to "convey" his resignation as Business Secretary "to the King".
204 Appointment of the new Director General of the Security Service, Home Office, 30 March 2020.
205 Geoffrey Marshall, Constitutional Conventions: The Rules and Forms of Political Accountability, Oxford: Oxford University Press, 1984, p123.
206 Appointment of the new Chief of the Secret Intelligence Service (MI6), Foreign and Commonwealth Office, 29 July 2020.

The Director of Government Communications Headquarters (GCHQ) is appointed by the Foreign Secretary with the agreement of the Prime Minister.[207]

4.3 Civil Service

Since 1920, the Prime Minister's consent has been required for the most senior appointments of civil servants, although these are not made on a political basis.[208] According to Sir Anthony Seldon, the premier has responsibility for the top 200 appointments in the Home Civil Service.[209] The appointment of Permanent Secretaries is covered in the Civil Service Commission's Recruitment Principles. According to Lord Maude:

> The final selection is made by the Prime Minister from a shortlist. There is already ample opportunity for the Prime Minister and ministers in charge of departments to frame the candidate specifications, the interviewing panel, be kept abreast of the process at every stage, and to propose names of candidates they believe could be suitable.

The final appointment of directors-general is also made by the Prime Minister, who is asked to approve the candidate who has come top in the merit order.[210]

The Cabinet Secretary and Head of the Civil Service is appointed by the Prime Minister upon the advice of the retiring Cabinet Secretary and the First Civil Service Commissioner.[211] A Cabinet Secretary must have the "ability to secure the confidence of the Prime Minister and the Cabinet".[212] The First Civil Service Commissioner and other Civil Service Commissioners are appointed by the King on the recommendation of the Minister for the Civil Service (the Prime Minister), under statute.[213] The First Parliamentary Counsel is appointed by the Prime Minister directly.[214]

According to media reports, Liz Truss "sacked" the Treasury permanent secretary Tom Scholar after she became Prime Minister in September 2022.[215]

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207 New Director GCHQ announced, GCHQ website, 11 April 2023.
208 Byrum E. Carter, The Office of Prime Minister, p241.
209 Anthony Seldon, The Impossible Office, p8. Appointments to the Northern Ireland Civil Service are the responsibility of the First Minister and deputy First Minister of Northern Ireland acting jointly.
210 Independent Review of Governance and Accountability in the Civil Service: The Rt Hon Lord Maude of Horsham, paras 6.15 & 6.26.
211 The Cabinet Manual, para 4.53.
212 Cabinet Secretary and Head of the Civil Service, Civil Service Jobs website (archived).
213 Constitutional Reform and Governance Act 2010, Schedule 1.
214 New First Parliamentary Counsel Appointed, Cabinet Office, 10 April 2024.
215 Tom Scholar, permanent secretary to the Treasury, sacked by Liz Truss, Guardian, 8 September 2022. See also House of Lords Select Committee on the Constitution, Permanent secretaries: their appointment and removal, HL Paper 258, 20 October 2023.

Sir Keir Starmer shared his first message with the Civil Service shortly after becoming Prime Minister in July 2024.[216]

4.4 Ecclesiastical

Under the Appointment of Bishops Act 1533, the Sovereign formally chooses the archbishops and bishops of the Church of England but since the 18th century has done so on the advice of the Prime Minister.[217]

Until the mid-1970s the Prime Minister had "an unfettered right to advise on appointments".[218] Following informal negotiations between the Church of England and Downing Street, the Church became more closely involved in Crown appointments through the creation of a Crown Appointments Commission (later the Crown Nominations Commission, CNC).[219]

Thereafter the CNC presented two names for each vacancy to the Prime Minister, who had discretion over which would be submitted to the monarch. In 2007, Gordon Brown indicated he would not exercise this discretion, although the Prime Minister retained the right to reject the Commission's single nominee.[220] According to the Cabinet Office, under these reforms, "the Prime Minister does not choose or advise on ecclesiastical appointments. His or her role is limited to conveying the name of the nominated candidate to The Queen." The constitutional expert Jason Loch has disagreed with this interpretation, arguing that:

> Despite the 2007 changes, the Prime Minister almost certainly continues to make formal submissions to the Monarch regarding ecclesiastical appointments.[221]

The Prime Minister appoints the chairman of a Crown Nominations Commission for Canterbury. This follows the resignation or retirement of the Archbishop of Canterbury.[222]

Where the Crown has patronage of a Church of England benefice, the Prime Minister under certain circumstances acts on the Crown's behalf statutorily (rather than under the prerogative).[223]

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216 A message from Prime Minister Keir Starmer to the Civil Service, Civil Service, Prime Minister's Office, 10 Downing Street, 8 July 2024.

217 For full details of ecclesiastical appointments, see Commons Library research briefing CBP8886, The relationship between church and state in the United Kingdom, pp19-22.

218 Vernon Bogdanor, Monarchy and the Constitution, p226.

219 This new procedure was implemented by the Church of England (Worship and Doctrine) Measure (1974 No 3).

220 The Governance of Britain – Constitutional Renewal, Cmnd 7170, London: HMSO, March 2008, paras 62-63.

221 When Is Advice Not Advice?, A Venerable Puzzle blog, 8 August 2023.

222 Appointment of Chairman of the Crown Nominations Commission for Canterbury, Prime Minister's Office, 10 Downing Street, 16 December 2024.

223 Mission and Pastoral Measure 2011, section 100(2)(a) and Church Property Measure 2018, section 14(1)(b).

The Roman Catholic Relief Act 1829 placed restrictions on who could offer advice to the Crown regarding Church of England (and Church of Scotland) appointments.[224] Under that Act, it remains a "high misdemeanour" for a Catholic to do so.[225] This applies to the Prime Minister, the Prime Minister's Secretary for Appointments and the Lord Chancellor. Under section 4 of the Jews' Relief Act 1858, Jews are also barred from advising the Crown on ecclesiastical matters. In either case, this aspect of the Prime Minister's duties can be transferred to another Minister of the Crown not similarly barred. If an incoming Lord Chancellor is Catholic, an Order in Council passed under section 2 of the Lord Chancellor (Tenure of Office and Discharge of Ecclesiastical Functions) Act 1974 can transfer his ecclesiastical functions to the Prime Minister.[226]

The Prime Minister's current Appointments Secretary is Richard Tilbrook, who is also Clerk of the Privy Council.[227]

Under Schedule 1 of the Church Commissioners Measure 1947 (as amended) the Prime Minister is one of 33 Church Commissioners. These "support the Church of England's ministry, particularly in areas of need and opportunity", including management of its permanent endowment fund.[228]

The King is represented at the General Assembly of the Church of Scotland by a Lord High Commissioner. S/he attends as an observer and is appointed by His Majesty on the advice of the Prime Minister, following consultation with the First Minister of Scotland.[229]

4.5 Residual academic

The Prime Minister is responsible for advising the King on "residual" academic appointments. These are the:

- Regius chairs in England and Wales[230]
- King Edward VII Professor of English Literature (Cambridge)

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224 In the case of the Church of Scotland, the 1829 Act could relate only to such appointments as the Dean of the Chapel Royal, royal chaplains, the Dean of the Thistle, chaplains to the forces, etc. Lay patronage (including the Crown's patronage) was abolished by the Church Patronage (Scotland) Act 1874.

225 Roman Catholic Relief Act 1829, section 18.

226 If the Prime Minister is also a Catholic, an Order under the 1974 Act could transfer the Lord Chancellor's patronage to another Minister of the Crown.

227 Prime Minister announces Appointments Secretary, Cabinet Office, 13 August 2020. The Ecclesiastical Patronage Offices of the Lord Chancellor and the Prime Minister remained separate until 1964 when they were brought together at 10 Downing Street.

228 Church Commissioners, Church of England website.

229 As with appointments in the Church of England, a Prime Minister advising on a Lord High Commissioner cannot be a Catholic (Roman Catholic Relief Act 1829, section 18).

230 The First Minister of Scotland is responsible for advising the King on regius chairs in Scotland.

- Master of Trinity College, Cambridge
- Master of Churchill College, Cambridge
- Provost of Eton

Since the late 1990s the practice has been for the Prime Minister "to convey the wishes of the institutions" to the Monarch "without interference".[231]

The Prime Minister no longer appears to advise the King on the appointment of the Principal of King's College, London.

The government's long standing Official History series, which began in 1908, involves independent historians appointed by the Prime Minister being granted privileged access to closed files beyond the normal provisions of the Public Records Act.[232]

4.6 Public sector and regulators

Since 2006, selection for most judicial appointments has been the responsibility of the statutory Judicial Appointments Commission (JAC). However, the more senior of these appointments in England and Wales (High Court and above) are made (under statute) by the King on the advice of the Lord Chancellor and/or the Prime Minister.[233]

Senior judges in Northern Ireland are appointed by the King under statute and on the recommendation of the Prime Minister following consultation with the Lady Chief Justice for Northern Ireland.[234] In Scotland, it appears most senior judges are still appointed by the Monarch under the prerogative. This is on the formal recommendation of the Prime Minister following nomination by the First Minister of Scotland.[235]

The Parliamentary and Health Service Ombudsman is appointed by the King on the recommendation of the Prime Minister.[236]

The Comptroller General and Auditor General is appointed by the King under the Exchequer and Audit Departments Act 1866. Under section 11 of the Budget Responsibility and National Audit Act 2011, His Majesty's power of appointment is exercisable on an Address presented by the House of Commons, although no motion shall be made for such an Address except by

231 Political and Constitutional Reform Committee, Written evidence submitted by Lord Hennessy.
232 The review of the Government's Official History Programme, undated.
233 Senior Courts Act 1981, section 10. See, for example, Appointment of Lord Chief Justice, Prime Minister's Office, 15 June 2023.
234 Judicature (Northern Ireland) Act 1978, section 12.
235 Scotland Act 1998, section 95. See also Alan Page, Constitutional Law of Scotland, Edinburgh: W. Green, 2015, paras 6-19-6-28.
236 Parliamentary Commissioner Act 1967, section 1. The Act does not actually name the Prime Minister.

the Prime Minister,[237] acting with the agreement of the Chairman of the Committee of Public Accounts.

Although senior appointments to the Royal Household have been a personal matter for the Monarch since 1924 (when several ceased to be political), the Prime Minister continues to tender formal advice on:

> all political appointments to the Royal Household, the three Great Offices of State, (the Lord Chamberlain, the Lord Steward and the Master of the Horse) and on non-political Lords in Waiting. Appointments to other senior positions in the [King]'s Household are subject to informal discussion with Government Ministers, as in the past have been some senior appointments in the Household of the Prince of Wales.[238]

4.7 Inquiries and Royal Commissions

According to the Ministerial Code, the Prime Minister must be consulted in good time about any proposal to set up:

> a. Royal Commissions: these can only be set up with the sanction of the Cabinet and after The King's approval has been sought by the Prime Minister;
>
> b. Public inquiries under the Inquiries Act 2005.[239]

Members of Standing Royal Commissions (such as the Royal Commission for the Exhibition of 1851) are appointed by King on the recommendation of the Prime Minister under the royal prerogative. Otherwise, the most recent Royal Commission was that on reform of the House of Lords in 2000.[240]

For details of statutory public inquiries established under the Inquiries Act 2005, see Commons Library research briefing, Statutory public inquiries: the Inquiries Act 2005. One example is the Grenfell Inquiry established by Theresa May in June 2017. Mrs May said that it would "report back to me personally. As Prime Minister, I will be responsible for implementing its findings".[241]

For details of "non-statutory" public inquiries, many of which have been initiated by Prime Ministers while in office, see Commons Library research briefing, Non-statutory public inquiries.

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237 No other minister may act for the Prime Minister, in contrast to the usual practice.

238 HL Deb 19 December 1995 Vol 567 cWA134 [Royal Household: Appointments] The political appointments are Treasurer of HM Household (Commons Deputy Chief Whip), Comptroller of HM Household (Commons Government Whip), Vice Chamberlain of HM Household (Commons Government Whip), Captain of the Honourable Corps of Gentlemen at Arms (Lords Chief Whip) and Captain of the King's Bodyguard of the Yeomen of the Guard (Lords Deputy Chief Whip).

239 Ministerial Code, para 4.13.

240 A House for the Future: Royal Commission on the reform of the House of Lords, Cabinet Office, 20 January 2000.

241 Statement from the Prime Minister on Grenfell Tower, Prime Minister's Office, 10 Downing Street, 17 June 2017.

The Prime Minister can also establish specifically parliamentary inquiries. In 2017–18, and in response to reports of sexual harassment and bullying in Parliament, the Prime Minister convened a cross-party working group on an independent complaints and grievance procedure. That group reported in February 2018.[242]

Since 1900, the Speaker of the House of Commons has presided over six conferences on electoral matters, following an invitation from the Prime Minister of the day to do so.[243] The most recent was that on Parliamentary Representation which reported in January 2010.[244]

4.8 Honours

Most honours are conferred by the Monarch under the royal prerogative.

The Prime Minister sets "strategic priorities" for the honours system. Successive recent Prime Ministers have asked that the system "honours people who give service above and beyond – and not those who are just doing their job".

Honours lists are published twice a year at New Year (usually 30 or 31 December) and on the Sovereign's Official Birthday (currently the middle of June). Three separate lists comprise the half-yearly list:

- the Prime Minister's List – managed by the Cabinet Office, for those contributing to the UK, of around 1,300 people (although some people living outside the UK may also be considered)
- the Diplomatic Service and Overseas List – managed by the Foreign, Commonwealth and Development Office, for members of the Diplomatic Service and for those UK citizens working in the UK's interests abroad, of around 150 people, and
- the Defence Services List – managed by the Ministry of Defence, for members of the Armed Forces, of around 200 people[245]

There are ten independent committees which assess nominations for the Prime Minister's List. One of these is the Parliamentary and Political Service Honours Committee (PPSHC), which handles party-political honours. The chairs of the ten committees collectively form the Cabinet Office's Main Honours Committee (MHC).

242 HC Deb 8 February 2018 Vol 635 c56WS [Independent Complaints and Grievance Policy]
243 Erskine May, para 38.85
244 Speaker's Conference on Parliamentary Representation, 6 January 2010.
245 Appointment details – Parliamentary and Political Service Independent Honours Committee Member, gov.uk, 21 October 2024.

The MHC sends a list of nominees to the Prime Minister's Office, and it is for the Prime Minister to recommend those on that list to the King. Names may be added or removed by the Prime Minister from the list recommended by the MHC.[246]

Recommendations to remove honours are considered by the Forfeiture Committee. The Committee's recommendations for forfeiture are submitted to the King for approval through the Prime Minister.[247]

Ministers should not normally, while holding office, accept decorations from foreign countries. Where the Foreign, Commonwealth and Development Office (FCDO) considers the case for restricted permission to wear might merit a "national interest" exception, the FCDO will consult the Prime Minister who will make the final decision.[248]

4.9 House of Lords

The King's power to create life peers with a seat in Parliament is statutory.[249] They are appointed on the advice of the Prime Minister[250]. Since 2000, appointments have been regulated by the House of Lords Appointments Commission (HoLAC), an advisory, non-departmental public body created under the prerogative. Ultimately, however, all peerage recommendations are made by the Prime Minister.

HoLAC was established in 2000 and its remit is set by whoever is Prime Minister. In a letter dated 13 April 2022, Lord Bew, the chair of HoLAC, said:

> The Prime Minister sets both the number of, and timing of the offer for, appointment of non-party-political life peers to be recommended by HOLAC. In 2012, the then Prime Minister asked the Commission to make a maximum of two recommendations a year for the time being.

The Prime Minister has reserved the right to nominate ten people (for peerages) per Parliament directly to the Monarch. These are traditionally individuals who are "either distinguished senior public servants on their retirement or who otherwise have a proven track record of significant public service". HoLAC still vets these nominations for propriety.[251]

In 2020, a Prime Minister (Boris Johnson) over-ruled advice from HoLAC for the first time.[252] HOLAC makes clear that

246 Commons Library research briefing SN02832, Honours: History and reviews.
247 Having honours taken away (forfeiture), Cabinet Office, 30 September 2021.
248 Ministerial Code, para 7.19.
249 Life Peerages Act 1958, section 1.
250 A Lords Library briefing, Lords Appointments: Life peerages created since 1958, provides a breakdown of life peerage creations by every Prime Minister since 1958.
251 PACAC hearing – evidence from the House of Lords Appointments Commission, 13 April 2022.
252 Boris Johnson Overrules House Of Lords Watchdog To Hand Peerage To Former Tory Treasurer Who Gave The Party £3.5m, Politics Home website, 22 December 2020.

The Commission does not have a right of veto; it is down to the Prime Minister to decide whether to recommend an individual to His Majesty The King.[253]

[253] Vetting: the Role of the Appointments Commission, House of Lords Appointments Commission website.

5 Conduct of Cabinet and parliamentary business

The third of Lord Hennessy's prime ministerial functions were the conduct of Cabinet and parliamentary business:

1. Calling meetings of Cabinet and its committees
2. The calling of "Political Cabinets" with no officials present
3. Deciding issues where Cabinet or Cabinet committees are unable to agree
4. Deciding when Cabinet can "opt out" of collective responsibility
5. Granting ministers permission to miss Cabinet meetings or leave the country
6. Ultimate responsibility for the government's legislative programme
7. Prime Minister's Questions
8. House of Commons Liaison Committee[254]

5.1 Calling meetings of Cabinet and its committees

The Prime Minister acts as chair of the Cabinet.[255]

The Prime Minister determines and regulates the procedures of Cabinet, including when and where meetings take place. Cabinet currently meets in the Cabinet Room in 10 Downing Street every Tuesday morning while Parliament is sitting. Regional Cabinets can also take place, where the weekly Cabinet meeting is held in a location outside London.[256]

254 Written evidence submitted by Lord Hennessy, 21 February 2011.
255 Much like the office of Prime Minister, the Cabinet has little statutory presence.
256 The Cabinet Manual, para 4.7. Queen Elizabeth House in Edinburgh includes "a dedicated Cabinet room, the first of its kind outside of London" (Flagship UK Government Hub in Edinburgh named 'Queen Elizabeth House', Office of the Secretary of State for Scotland, 15 July 2019).

The Prime Minister is also in charge of the agenda, which generally covers "Parliamentary business, domestic and foreign affairs, and topical issues".[257]

As the historian David Dilks has observed:

> The Prime Minister arranges with the Secretary of the Cabinet the agenda and the order in which items shall be taken. Mr. Macmillan, entertaining a shrewd suspicion that the abolition of resale price maintenance was unlikely to do the Conservative party much electoral good, consistently arranged for it to come low on the agenda during his time as Prime Minister. Sir Winston was celebrated, especially in his last tenure of office, for his ability to spin out the earlier items in order not to reach the issues which he wished to defer or bury.[258]

The Prime Minister also decides the structure and membership of Cabinet committees, with the advice of the Cabinet Secretary. These committees are intended to help the Cabinet run more efficiently by allowing more thorough consideration of proposals. The make-up of the system very much depends on each government's preference.[259] The current list of Cabinet committees is published on the Cabinet Office website.[260]

Little information concerning the existence of Cabinet Committees was available until Margaret Thatcher provided more details in response to a 1979 parliamentary question.[261]

Prime Minister Gordon Brown's first Cabinet meeting in June 2007 (10 Downing Street, Crown Copyright, Open Government License 3).

257 The Cabinet Manual, paras 4.16-4.32.
258 David Dilks, The Office of Prime Minister in Twentieth-Century Britain, p20.
259 The Cabinet Manual, paras 4.9-4.12.
260 List of Cabinet Committees and their membership, Cabinet Office, 25 December 2023.
261 HC Deb 24 May 1979 Vol 967 c179W [Cabinet Committees]

During the 2010-15 coalition, the establishment of Cabinet Committees, appointment of members and determination of their terms of reference by the Prime Minister was agreed with the Deputy Prime Minister.[262]

The Prime Minister determines who may attend Cabinet meetings. The Institute for Government commented in March 2024 that the "number of junior ministers attending cabinet has fluctuated considerably in recent years".[263] There were ten ministers in Boris Johnson's December 2019 government who attended Cabinet without being full Cabinet ministers.

5.2 Calling "Political Cabinets"

"Political Cabinets" are private meetings called at the discretion of the Prime Minister to discuss party-political matters. The Cabinet Manual states that these may take place in the Cabinet Room, but officials do not attend and no official minutes are taken.[264] Frequency of such meetings varies, and by their nature little detail of discussion emerges.

5.3 Collective Cabinet responsibility

Paragraphs 2.3 and 2.4 of the Ministerial Code set out general arrangements for what is known as collective Cabinet responsibility. These highlight the need for confidentiality and public unanimity. When doubt arises about the extent of such discretion, the final decision ultimately rests with the Prime Minister.[265] When questioned about collective responsibility in 1977, James Callaghan remarked: "I certainly think that the doctrine should apply, except in cases where I announce that it does not."[266]

The convention of collective responsibility applies once a decision has been taken by the Cabinet. It is for the Prime Minister, as chair of Cabinet, or the relevant Cabinet committee chair, to summarise what the collective decision is, and this is recorded in the minutes by the Cabinet Secretariat.[267]

Sometimes, Prime Ministers have decided that policy decisions are of such significance that they have overridden individual ministers' decisions. In 1985, for example, Margaret Thatcher overruled Leon Brittan's proposals for maximum prison tariffs for Ian Brady and Myra Hindley, who were known as the Moors Murderers.[268]

262 Coalition agreement for stability and reform, para 3.1.
263 Cabinet, Institute for Government, 1 March 2024.
264 The Cabinet Manual, para 4.8.
265 Ministerial Code, paras 2.3-2.4.
266 HC Deb 16 June 1977 Vol 933 c552 [Government Policies]
267 The Cabinet Manual, para 4.3.
268 Thatcher overruled minister to keep Moors murderers locked up for life, Guardian, 20 July 2017.

In other circumstances, Prime Ministers have relaxed this requirement. In 2016, for example, David Cameron announced that he would allow Cabinet ministers to campaign for either Leave or Remain in that year's referendum on the UK's membership of the European Union.[269]

For more on the Prime Minister's role, see Commons Library research briefing, Collective responsibility.

5.4 Authorising absence from the Cabinet or country

Traditionally, senior ministers (including the Prime Minister) required the Sovereign's permission to leave the Realm.[270] Formerly, this requirement was spelled out in the Ministerial Code, but it has been dropped from editions published after 2006. Whether is amounts to a change in practice or simply a slimming down of the Code to focus on material that is applicable to all ministers is unclear.[271]

According to the Ministerial Code, when a Cabinet minister wishes to take a Parliamentary Private Secretary or another parliamentarian on an official visit overseas, the Prime Minister's approval is required.[272] The same is true if it is clearly in the "public interest" that a minister's spouse or partner accompany them on official duties overseas.[273]

Ministers may also seek the permission of the Prime Minister for an extended absence in other circumstances, such as ill health, adoption or paternity.[274] Under the Ministerial and other Maternity Allowances Act 2021 ministers may take paid maternity leave (of up to six months) at the Prime Minister's discretion. While doing so, they will be designated as a "minister on leave". This enables the Prime Minister to appoint someone else to a role vacated by a Minster of the Crown without exceeding the statutory limits on the number of paid ministers.[275]

269 Personal Minute on EU Referendum, 11 January 2016.
270 Rodney Brazier, Ministers of the Crown, Oxford: Oxford University Press, 1997, p101.
271 However, the Scottish Ministerial Code makes it clear that the First Minister is still obliged to seek the King's permission before leaving the country, while Lord Garnier (Solicitor General from 2010-12) has stated that the Law Officers also needed to obtain the Queen's permission before going abroad.
272 Ministerial Code, para 3.11.
273 Ministerial Code, para 10.18.
274 Ministerial Code, para 4.12.
275 Commons Library research briefing SN03378, Limitations on the number of Ministers.

5.5 Responsibility for legislative programme

As head of government, the Prime Minister has responsibility for his or her administration's legislative programme.

At the beginning of each parliamentary session, this is set out in the King's Speech. Since 1841, this has been accepted as a statement of ministerial policy for which the Sovereign accepts no personal responsibility. In 1841, Lord John Russell (later Prime Minister) told the House of Commons it "was the result of advice of Ministers, and Ministers alone are responsible for it".[276]

The Cabinet Secretariat, working with Number 10, drafts the King's Speech and provides coordination for supporting documents.[277]

In the Commons, a motion for an humble Address on the King's Speech is moved and seconded, not by party leaders, but by senior and junior "back benchers" respectively. The Leader of the Opposition then makes a speech, at which point the more substantive part of the debate begins. The Prime Minister responds with more details of the government's legislative plans.[278]

On other occasions, the Prime Minister has discretion to make formal statements to the House, usually on major constitutional issues, foreign affairs and defence, or upon a demise of the Crown. The premier also has more specific responsibilities, for example as Minister for the Civil Service, on which they are required to make ministerial statements and take questions.

In the absence of the Prime Minister, traditionally the Leader of the House has expressed the sense of the House on formal occasions, such as in moving motions of thanks or congratulation.[279] If a Member has been named by the Speaker for disorderly conduct, the Prime Minister can move the resulting motion.[280] The Prime Minister also plays a part in the proceedings for the election or re-election of a Commons Speaker.[281]

King's Consent (as distinct from Royal Assent) is required before certain types of bill can be debated by Parliament. The Prime Minister (or another minister) can advise the Monarch to withhold his consent, thus preventing Parliament from debating a measure.[282]

The Prime Minister has a T-shaped room in the House of Commons, large enough to meet groups of Members and even the Cabinet if necessary.

276 Ivor Jennings, Cabinet Government, Cambridge: Cambridge University Press, 1959, p402.
277 Guide to Making Legislation, Cabinet Office, 2022, para 20.1.
278 Commons Library research briefing CBP9501, State Opening of Parliament – history and ceremonial, pp26-29.
279 Erskine May, para 4.7
280 Philip Laundy, The Office of Speaker, London: Cassell, 1964, p83.
281 See, for example, HC Deb 22 June 2009 Vol 494 c617 [Election of Speaker].
282 House of Commons Political and Constitutional Reform Committee, The impact of Queen's and Prince's Consent on the legislative process, HC 784, 26 March 2014.

5.6 Prime Minister's Questions

Prime Minister's Questions (PMQs) is the most visible aspect of the House of Commons' power to hold an incumbent premier to account.

Until the 1880s, questions to the Prime Minister were on the same basis as for other ministers: they could be asked on any day without notice. In 1881, as a courtesy to the 72-year-old W. E. Gladstone, questions began to be asked at a fixed point on up to four days a week and placed at the end of the list of questions to ministers, so he could arrive late. This frequency was reduced to just two days, Tuesdays and Thursdays, for the elderly Winston Churchill in 1953. During the premiership of Harold Macmillan, an experiment began in 1959 with questions in two slots of fifteen minutes each, again on Tuesdays and Thursdays. Following a report from the Procedure Committee, this became a permanent feature from October 1961. From May 1997, PMQs switched to one 30-minute session every Wednesday, initially at 3:15pm but at 12noon since 2003.[283]

When the Prime Minister is away on an official engagement (usually overseas), their deputy or a senior minister will answer questions on their behalf. On these occasions, a senior shadow minister from the main opposition party usually takes the place of the Leader of the Opposition.[284]

Each Member of Parliament may table one question for each session of Prime Minister's Questions. The shuffle is a lottery, which randomly selects 15 Members whose name will go on the Order Paper. These can simply be an "Engagements" question, to ask the Prime Minister about their engagements for the day, which will allow the Member to ask a question without notice on the day, or it could be a "substantive" question, giving the Prime Minister notice of the question they wish to ask. The Leader of the Opposition is allowed to ask six supplementary questions at PMQs and, until the 2010 general election, the leader of the next largest opposition party was allocated two.[285] The Speaker reverted to this practice after the 2015 election.

It has been ruled that the Prime Minister cannot be interrogated as to the advice that they may have given to the Sovereign regarding the grant of honours, the ecclesiastical patronage of the Crown, the appointment and dismissal of Privy Counsellors or, in certain circumstances, the exercise of the prerogative of mercy.[286]

283 Commons Library research briefing SN05183, Prime Minister's Questions.
284 Commons Library research briefing SN04401, Attendance of the Prime Minister at Prime Minister's Questions (PMQs) since 1979. See also House of Commons trends: Attendance at Prime Minister's Questions.
285 Commons Library research briefing SN05183, Prime Minister's Questions, 3-4.
286 Erskine May, para 22.16

Prime Minister's Questions on 31 January 2024 (©UK Parliament/Maria Unger).

In 2022 the Cabinet Office concluded that Boris Johnson was entitled to receive legal support for the performance of his duties, and that speaking at Prime Minister's Questions was "a performance of the Prime Minister's function". This related to allegations that Johnson had misled the House, a matter which was referred to the Committee of Privileges on 21 April 2022.[287]

The former Conservative Party adviser Lee Cain has proposed "People's PMQs" during which the Prime Minister would be asked questions by members of the public.[288]

4 Parliamentary Private Secretary to the Prime Minister

Since 1906 a Parliamentary Private Secretary (PPS) to the Prime Minister has acted as the premier's "eyes and ears" on the backbenches, serving as a liaison between the Prime Minister and their parliamentary party. They can also attend meetings on the Prime Minister's behalf and help them prepare for Commons appearances. They usually sit directly behind the Prime Minister during question time.

For a list of PPSs to the Prime Minister see Parliamentary Private Secretaries to Prime Ministers since 1906.

287 Cabinet Office Annual Report and Accounts 2022-23, HC 1464, Cabinet Office, 19 September 2023, p138.

288 Modernising government communications service, Institute for Government, September 2021, p16.

5.7 House of Commons Liaison Committee

Although the Prime Minister answers parliamentary questions in the Commons chamber, he or she traditionally refused to appear before parliamentary committees.[289]

Until around 2000, the Commons Liaison Committee (which comprises Select Committee chairs) focused on administering the Select Committee system. However, following a report which sought to rebalance the relationship between Parliament and government,[290] the Committee proposed that it could become a forum in which the Prime Minister could be further scrutinised, providing a "calmer setting" for more "productive and informative" exchanges, which it contrasted with the "confrontational exchanges and theatrical style" of PMQs.[291]

This proposal was rejected in 2000 and again in 2001, but in 2002 Tony Blair volunteered to appear before the Liaison Committee twice a year.[292] At his first session in July 2002, Blair made:

> no apology about having a stronger centre. I think you need a stronger centre [...] The real world is that with the Prime Minister the buck stops with you; that is the top job and that is how it should be. While the Departments [...] are charged with policy [...] the reality is for any modern Prime Minister you want to know what is happening in your own Government, to be trying to drive forward the agenda of change on which you were elected.[293]

Since 2002, the Liaison Committee has questioned six Prime Ministers during dozens of sessions. Initially the Prime Minister appeared for 2.5 hours, twice a year. During the 2010-15 Parliament this was increased to three 90-minute appearances a year. The sessions have been described as "a significant advance in the scrutiny of the Prime Minister".[294]

For more on this see Commons Library research briefing, The Liaison Committee: taking evidence from the Prime Minister.

289 According to Peter Hennessy, the Prime Minister had "not submitted to such scrutiny" since the 1930s, when they did so in their then capacity as Leader of the House of Commons.
290 Liaison Committee, Shifting the Balance: Select Committees and the Executive, HC 300, 3 March 2000.
291 Liaison Committee, Evidence from the Prime Minister, HC 984, 3 July 2002, para 3.
292 Commons Standing Order 145(2) thus provides that the "committee may also hear evidence from the Prime Minister on matters of public policy".
293 Liaison Committee, The Prime Minister, Minutes of Evidence, HC 1095, 16 July 2002.
294 Commons Library research briefing CBP8182, The Liaison Committee: taking evidence from the Prime Minister.

6 Policy strategy and communications

1. Keeper of overall political strategy
2. Oversight of Government communications
3. Pursuit and promulgation of special overarching policies[295]

6.1 Overall political strategy

The Number 10 website states that it helps:

> the Prime Minister to establish and deliver the government's overall strategy and policy priorities, and to communicate the government's policies to Parliament, the public and international audiences.[296]

The academics Andrew Blick and George Jones concluded that the underlying role of the UK premiership was to provide public leadership:

> This task is its central role and is more important and relatively more resource-consuming within No.10 than anywhere else in Whitehall. After a transitional period in the eighteenth and nineteenth centuries the Prime Minister, in practice, eclipsed the monarch as the most prominent individual supplier of public leadership in the UK, subject to the emerging convention of collective Cabinet supremacy. The manner and means through which leadership is exercised by the office of Prime Minister have varied substantially; and such mutability is necessary to the effective execution of this task.[297]

And according to Byrum E. Carter, the duty:

> of a Prime Minister is not only to make up his own mind as to the wisest course to pursue but to persuade the nation as a whole to support his policy. In a democratic country wisdom has got to be justified by its popular appeal. A Premier has therefore not only to lead but to induce others to follow him. He must persuade the nation after he has convinced himself.[298]

The Prime Minister makes an annual speech at the Lord Mayor's Banquet at the Guildhall each November.[299]

295 Written evidence submitted by Lord Hennessy, 21 February 2011.
296 About us, Prime Minister's Office, 10 Downing Street.
297 Andrew Blick and George Jones, Premiership, p199.
298 Byrum E. Carter, The Office of Prime Minister, p103.
299 PM speech at Lord Mayor's Banquet: 13 November 2023, Prime Minister's Office, 10 Downing Street, 13 November 2023.

6.2 Government communications

Government Communication Service

The goal of the Government Communication Service is to:

> provide an exceptional standard of professional practice to support the government, implementing the priorities of the Prime Minister and the Cabinet to build a stronger economy, a fairer society, a United Kingdom and a global Britain.[300]

According to Lee Cain, the Prime Minister's morning meeting "has long been dominated by a review of the daily newspapers and how to respond to them".[301]

The Lobby

Lobby journalists attend daily briefings, at which they can question the Prime Minister's official spokesperson (a civil servant). These briefings occur twice a day, with the second a more informal discussion. They used to take place in the House of Commons but have been held at Downing Street since 2020.[302]

During the Covid-10 pandemic Boris Johnson's government suggested it would begin regular televised briefings.[303] No such briefings have taken place, although there were frequent televised press conferences during the same period.

In 2014, an annual correspondents' dinner with the Prime Minister was revived, having ended in 1974. Modelled on the annual White House press corps dinner, its centrepiece is a humorous speech from the guest of honour.[304]

Prime Ministerial broadcasts

Since the 1930s, the Prime Minister has often broadcast direct to the nation, initially on radio but, since the 1950s, on television. This is generally on significant occasions, such as the outbreak of war, during an economic crisis, or following the death of a monarch. Whether or not to make such a broadcast (as opposed to a speech outside Number 10) is at the Prime Minister's discretion.

According to Byrum E. Carter, the first such broadcast took place in 1931, when:

300 What we do, Government Communication Service.
301 Modernising government communications service, Institute for Government, p2.
302 Parliamentary lobby, Institute for Government, 14 October 2022.
303 First pictures released of Boris Johnson's new £2.6m briefing room, Guardian, 15 March 2021.
304 Cameron's bald cheek lights up revival of correspondents' dinner, Financial Times, 17 January 2014.

Ramsay MacDonald was able to make a direct address to the nation on the formation of the National Government. The address was carried as a report to the nation, but it amounted to an appeal for national solidarity behind the coalition. The Opposition criticized this action, but it was not given time to reply.[305]

Winston Churchill makes his VE Day broadcast from the Cabinet Room at 10 Downing Street (Mr Egalton and Major Horton, War Office official photographers, public domain).

See **Table 1** for a list of Prime Ministerial broadcasts.

6.3 Special overarching policies

The Cabinet Manual states that the Prime Minister "will usually take the lead on significant matters of state", although it does not define what these are.[306]

Lord Hennessy gave as an example David Cameron's commitment to what he called the "Big Society". Margaret Thatcher's desire for comprehensive economic reform would be another, as was Tony Blair's modernisation agenda during his premiership. More recently, Sir Keir Starmer has set out "five missions" for his government.[307]

A Prime Minister can also apologise on behalf of the government or the country, as did David Cameron for "Bloody Sunday" in Northern Ireland.[308]

305 Byrum E. Carter, The Office of Prime Minister, p111.
306 The Cabinet Manual, para 3.3.
307 Missions – The Labour Party, Labour Party website.
308 Bloody Sunday: PM David Cameron's full statement, BBC News online, 15 June 2010.

Table 1 Prime Ministerial broadcasts

Prime Minister	Date	Subject
Stanley Baldwin	8 May 1926	On the general strike
Ramsay MacDonald	25 August 1931	On the formation of the National Government
Stanley Baldwin	21 January 1936	On the death of George V
Neville Chamberlain	27 September 1939	On the Munich Agreement
Neville Chamberlain	3 September 1939	On the declaration of war against Germany
Neville Chamberlain	26 November 1939	On the progress of the war
Neville Chamberlain	10 May 1940	On his resignation
Winston Churchill	19 May 1940	On becoming Prime Minister
Winston Churchill	19 May 1940	On the fall of France
Winston Churchill	14 July 1940	On the Battle of Britain
Winston Churchill	11 September 1940	On the Blitz
Winston Churchill	9 February 1941	On the progress of the war
Winston Churchill	27 April 1941	Report on the war
Winston Churchill	22 June 1941	On the German invasion of the USSR
Winston Churchill	24 August 1941	On meeting President Roosevelt
Winston Churchill	8 December 1941	On the Japanese declaration of war against the US and UK
Winston Churchill	15 February 1942	On the fall of Singapore
Winston Churchill	10 May 1942	On the progress of the war
Winston Churchill	29 November 1942	On recent victories at Stalingrad and El Alamein
Winston Churchill	21 March 1943	On the state of the Union
Winston Churchill	14 May 1943	On the Home Guard
Winston Churchill	31 August 1943	On the first Quebec Conference
Winston Churchill	26 March 1944	Report on the war
Winston Churchill	8 May 1945	On the surrender of Germany
Winston Churchill	13 May 1945	On five years since becoming premier
Clement Attlee	15 August 1945	On the surrender of Japan
Clement Attlee	4 July 1948	Establishment of the NHS

Clement Attlee	28 July 1948	Opening of Olympic Games
Winston Churchill	7 February 1952	On the death of George VI
Anthony Eden	15 April 1955	Announces a general election
Anthony Eden	27 April 1956	Talks in the Soviet Union
Anthony Eden	31 October 1956	On the Suez Crisis
Harold Macmillan	10 January 1957	On the premiership
Sir Alec Douglas-Home	19 October 1963	On the premiership
Sir Alec Douglas-Home	22 November 1963	On the assassination of President Kennedy
Harold Wilson	6 December 1966	On the situation on Rhodesia
Harold Wilson	14 February 1967	On the war in Vietnam
Harold Wilson	19 November 1967	On the devaluation of sterling
Edward Heath	27 February 1972	On inflation and the miners' strike
Edward Heath	31 December 1972	On the UK's accession to the EEC
Edward Heath	13 December 1973	On the three-day week
Edward Heath	7 February 1974	On the general election
Harold Wilson	25 May 1974	On the UWC strike in Northern Ireland
Harold Wilson	14 October 1974	On national unity during economic crisis
James Callaghan	7 September 1978	On the winter of discontent
James Callaghan	29 March 1979	On the general election
John Major	17 January 1991	On the war in the Gulf
John Major	12 February 1996	On Northern Ireland
Tony Blair	26 March 1999	On the war in Kosovo
Tony Blair	20 March 2003	On the war in Iraq
Boris Johnson	31 January 2020	On the UK's withdrawal from the EU
Boris Johnson	23 March 2020	On the Covid-19 pandemic
Boris Johnson	10 May 2020	On lockdown exit strategy
Boris Johnson	22 September 2020	On a new pandemic strategy
Boris Johnson	4 January 2021	On another lockdown
Boris Johnson	12 December 2021	On the booster programme
Boris Johnson	24 February 2022	On the Russian invasion of Ukraine

Source: Wikipedia, Times Digital Index, YouTube

7 Organisational and efficiency questions

1. Organisation and staffing of No 10 and the Cabinet Office
2. Size of Cabinet, workload on ministers and the Civil Service
3. Creation and merger of government departments and executive agencies[309]

7.1 Organisation and staffing

Only in 1916 was a Cabinet Secretariat established, initially to support the War Cabinet.[310]

Today, the Cabinet Office exists to "support the Prime Minister and cabinet government and leads and co-ordinates the government's response to cross-departmental challenges".[311]

In January 2008 the first ever Permanent Secretary was appointed at Number 10, Jeremy Heywood. His task was described as "helping to ensure a greater sense of cohesion between No. 10 and the other Cabinet Office units engaged in supporting the Prime Minister".[312]

In April 2022 leadership of Number 10 and parts of the Cabinet Office that directly served the Prime Minister and Cabinet were brought together under a single Prime Minister's Group ExCo. This was led by Interim Permanent Secretary Samantha Jones. The committee met three times between May 2022 and July 2022 before being stood down in September 2022 following a change of Prime Minister.[313]

Although the "Office of the Prime Minister" is a business unit within the Cabinet Office, the relationship between the two is unclear. Witnesses who gave evidence to the Lords Constitution Committee in 2010 said the boundary between the two was blurred. Dr Richard Heffernan of the Open University

309 Written evidence submitted by Lord Hennessy, 21 February 2011.
310 See Anthony Seldon with Jonathan Meakin, The Cabinet Office 1916–2016: The Birth of Modern Government, London: Biteback, 2016. See also Sir Charles Petrie, The powers behind the Prime Ministers, London: MacGibbon and Kee, 1958, which argues that every premier from Gladstone to Baldwin was reliant on a single important official.
311 Cabinet Office Annual Report and Accounts 2022-23, p6.
312 Cabinet Office Annual Report and Accounts 2007-2008, HC613, Cabinet Office, 17 July 2008, p17.
313 Cabinet Office Annual Report and Accounts 2022-23, p68.

said that "we do not know where the Prime Minister's Department begins and where the Cabinet Office ends".[314]

In his 2008 book, Instruction to Deliver, Sir Michael Barber proposed creating only two departments where there were currently three. Under his model, both the Cabinet Office and the public expenditure parts of the Treasury would be combined with the Prime Minister's Office.[315]

The Prime Minister has wide discretion over appointments in their private office.[316] The Principal Private Secretary to the Prime Minister is a senior civil servant. The holder of this office is traditionally the head of the Prime Minister's Office at 10 Downing Street and is currently graded as a director general.[317] There is also the non-civil service post of Political Secretary, which has existed since 1964.[318] Other positions appointed by the Prime Minister include a:

- Chief of Staff[319]
- Director of Policy
- Director of Communications
- Press Secretary
- Head of Features[320]

7.2 Size of Cabinet and workload

The Prime Minister is responsible for the distribution of appointments between the House of Lords and the House of Commons. By convention, all ministers must be members of either the Commons or the Lords, and there must not generally be more than three Cabinet members in the Lords. The law prescribes that only 22 people may receive the salaries of Cabinet ministers.[321]

314 Lords Constitution Committee, The Cabinet Office and the Centre of Government, HL30, 29 January 2010, p9.
315 Sir Michael Barber, Instruction to Deliver: Fighting to Transform Britain's Public Services, London: Methuen, 2008.
316 For a full analysis of the "geography" of Number 10 in the late 1990s, see Dennis Kavanagh and Anthony Seldon, The Powers Behind the Prime Minister: the hidden influence of number ten, London: HarperCollins, 1999.
317 Peter Wilson appointed Principal Private Secretary to the Prime Minister, Prime Minister's Office, 10 Downing Street, 8 March 2022.
318 Political Secretary to the Prime Minister of the United Kingdom
319 Margaret Thatcher was the first Prime Minister to appoint a chief of staff. The position was revived by Tony Blair in 1997.
320 Downing Street political advisers, Prime Minister's Office, 10 Downing Street, 14 July 2016.
321 Ministerial and other Salaries Act 1975, Schedule 1.

7.3 Machinery of government

The Prime Minister is responsible for the overall organisation of the government and the allocation of functions between ministers. Cabinet Office guidance states that:

> It is essential that the Prime Minister is able to structure the Government as he/she sees fit to respond to new challenges. This can mean that [Machinery of Government] MoG changes happen very quickly.[322]

The Cabinet Secretary is responsible for advising the Prime Minister on MoG issues.[323] The Ministerial Code states that:

> 4.3 The Prime Minister's written approval must be sought where it is proposed to transfer functions:
>
> a. between Ministers in charge of departments; and
>
> b. between junior Ministers within a department unless the changes are de minimis.
>
> 4.4 In addition, the Prime Minister's written approval should be sought for proposals to allocate new functions to a particular Minister where the function does not fall wholly within the field of responsibilities of one Minister, or where there is disagreement about who should be responsible.
>
> 4.5 Unresolved disputes concerning the allocation of functions should be referred to the Cabinet Secretary before a submission is made to the Prime Minister.

Parliament is usually informed of significant changes to MoG in a written ministerial statement by the Prime Minister.[324] A transfer of functions order (an Order in Council made under the Ministers of the Crown Act 1975) can require parliamentary approval. The Cabinet Office also publishes an explanatory document about major changes on its website and places it in the Libraries of both Houses.[325]

In a June 2003 Cabinet reshuffle, Tony Blair attempted to abolish the office of the Lord Chancellor.[326] Press reporting also suggested that the standalone positions of Scottish and Welsh Secretary had been replaced by a new Secretary of State for Constitutional Affairs.[327] It was subsequently clarified that all three offices still existed, not least because they possessed statutory functions.[328]

322 Machinery of Government Guidance, Cabinet Office, October 2015, p2.
323 The Cabinet Manual, para 3.58.
324 See, for example, HC Deb 7 February 2023 Vol 727 c28WS [Government Department Reorganisation].
325 The Cabinet Manual, para 3.59.
326 Blair's reforming reshuffle, Guardian, 13 June 2003.
327 End of an auld sang as Scotland Office disappears, The Times, 13 June 2003.
328 Recent reforms of the Lord Chancellor, UK Parliament website.

8 Budget and market sensitive decisions

1. Determining the Budget
2. "Reserve powers" to set interest rates[329]

8.1 The Budget

Lord Hennessy's cartography of prime ministerial functions included:

> Determining with the Chancellor of the Exchequer [...] and the Chief Secretary of the Treasury the detailed contents of the Budget. By tradition, the full Cabinet is only apprised of the full contents the morning before the Budget statement is delivered.

Until 1841 the Prime Minister (in their capacity as First Lord of the Treasury) was responsible for economic policy. Since then, the Chancellor of the Exchequer has taken the lead.

According to the Institute for Government, a Chancellor's Budget is "shared with Number 10".[330] However, alongside the Chancellor, the Prime Minister leads on tax-and-spending policy.[331]

The degree of involvement can depend on the nature of the relationship between premier and Chancellor. In her memoirs, Margaret Thatcher contrasted what she called the "collegiate style" of Geoffrey Howe (Chancellor between 1979 and 1983) and the more "secretive" approach of Nigel Lawson (1983-89).[332] Lawson, records Thatcher,

> preferred to take me through his budget proposals when he already had them well worked out and without any private secretary present to take notes. He liked to do this over dinner at No. 10 one Sunday towards the end of January. Had I restricted informing myself of his plans to these formal occasions it would have been difficult for me to have any real influence [...] But in fact, Treasury spies, realizing that this was an impossibly secretive way of proceeding with someone who after all was 'First Lord of the Treasury', furtively filled me in – with the strictest instructions not to divulge what I knew – before Nigel proudly announced to me his budget strategy. This at least put

329 Written evidence submitted by Lord Hennessy, 21 February 2011.
330 Better Budgets: Making Tax Policy Better, Institute for Government, 2017, p29.
331 What does the prime minister actually do?, BBC News online, 24 October 2022.
332 Thatcher's most notable tax difference with Lawson concerned mortgage interest tax relief, which Lawson wanted to abolish and whose threshold Thatcher would like to have increased.

> me in a better position to question the proposed fiscal stance or to object to individual measures.[333]

Similarly, David Cameron's memoirs suggest that he and George Osborne (Chancellor from 2010-16) worked closely on each Budget during his premiership.[334] By contrast, published accounts suggest Tony Blair and Gordon Brown did not.[335]

Usually, any new tax proposal is announced by the Chancellor in the Budget, or, occasionally in the year's other 'fiscal event', when the Chancellor gives an update on the performance of the economy.[336] In a striking departure from this precedent in September 2021, the then Prime Minister Boris Johnson announced a new tax, the Health and Social Care Levy, in a separate statement some weeks before the Budget.[337]

8.2 Interest rates

Since 1997, interest rates in the UK have been set by the Monetary Policy Committee of the Bank of England rather than the government.

The Prime Minister and the Chancellor of the Exchequer possess "reserve powers" under section 19 of the Bank of England Act 1998. The Treasury, following consultation with the Governor of the Bank of England, may:

> by order give the Bank directions with respect to monetary policy if they are satisfied that the directions are required in the public interest and by extreme economic circumstances.[338]

This "override" on interest rates would require a Statutory Instrument to be approved by both Houses of Parliament.

The 1998 Act does not name the Prime Minister but in practice their permission would be necessary for this reserve power to be used. In May 1997 the then Chancellor, Gordon Brown, said he "would expect this right to be exercised rarely if at all".[339] It has never been exercised.

333 Margaret Thatcher, The Downing Street Years, pp672-73.
334 Cameron's memoirs include a lengthy defence of Osborne's 2012 "Omnishambles" Budget (David Cameron, For the Record, pp347-58).
335 See, for example, Damian McBride, Power Trip: A Decade of Policy, Plots and Spin, London: Biteback, 2013.
336 This is called the Spring or Autumn Statement, depending on when the statement is made (see The Budget and the annual Finance Bill).
337 HC Deb 7 September 2021 Vol 700 cc153-55 [Health and Social Care]
338 Bank of England Act 1998, section 19.
339 HC Deb 20 May 1997 Vol 294 c509 [Bank of England and Financial Regulation]

8.3 Pay review bodies

The Prime Minister appoints the chairs of several public sector pay review bodies and has been involved in deciding whether to implement their recommendations.[340] These bodies are:

- Armed forces' pay review body
- Review body on doctors' and dentists' remuneration
- NHS pay review body
- Prison service pay review body
- School teachers' review body
- Senior Salaries Review Body[341]
- Police remuneration review body[342]
- National Crime Agency remuneration review body

The Senior Salaries Review Body sometimes advises the Prime Minister on the pay, pensions and allowances of ministers and others whose pay is determined under the Ministerial and Other Salaries Act 1975.[343]

The pay of senior civil servants is set by the Prime Minister following independent advice from the same review body.[344]

340 Pay review bodies, Institute for Government, 19 December 2022.
341 This includes judges, senior civil servants, senior members of the Armed Forces, senior police officers, and the most senior NHS managers.
342 This power of appointment is statutory. See the Anti-social Behaviour, Crime and Policing Act 2014, section 132.
343 Cabinet Office Annual Report and Accounts 2022-23, p80.
344 Cabinet Office Annual Report and Accounts 2022-23, p80.

9 National Security

The Prime Minister is the minister responsible for National Security and matters affecting the Secret Intelligence Service, Security Service and GCHQ collectively.[345]

Lord Hennessy identified the Prime Minister's functions as:

1. Chairing the weekly meetings of the National Security Council
2. Oversight of the National Security Strategy
3. Oversight of counter-terrorist policies and arrangements
4. Overall efficiency of the secret agencies
5. Preparation of the "War Book"
6. Contingency planning
7. Deployment of the Armed Forces
8. Use of treaty prerogatives[346]

9.1 Chairing the National Security Council

The National Security Council (NSC) was established in 2010 and is the main forum for the collective discussion of the government's objectives for national security.[347]

The NSC comprises senior ministers, including the Prime Minister, who chairs it, and is served by a National Security Secretariat. The Secretariat is headed by the National Security Adviser (currently Sir Tim Barrow) and is based in the Cabinet Office.[348] It has formal responsibility for agreeing the agenda for meetings of the NSC but will only do so following consultation with the Prime

345 The Cabinet Manual, para 3.6. In addition to which the Home and Foreign Secretaries and the Secretary of State for Northern Ireland have powers granted in legislation to authorise specific operations.

346 Written evidence submitted by Lord Hennessy, 21 February 2011.

347 Historically, the Committee of Imperial Defence – also chaired by the Prime Minister – fulfilled a similar role.

348 In June 2020, Theresa May criticised her successor, Boris Johnson, for selecting a political appointee (Lord Frost) as his National Security Adviser (Theresa May attacks appointment of UK national security adviser, Financial Times, 30 June 2020).

Minister and government departments, who in practice have the final say on policy. At the Prime Minister's discretion, opposition party leaders can – and have been – invited to meetings of the NSC for briefings on Privy Council terms (see **Section 3.3**).[349]

According to Lord Hennessy, the National Security Council could also serve, "when needed", as a War Cabinet. In the past, these have been chaired by the Prime Minister and comprise senior Cabinet ministers, defences chiefs and, in the case of Iraq War, the heads of MI5 and MI6.[350]

9.2 Oversight of National Security Strategy

Within government, the Prime Minister leads on national security strategy, which involves identifying the core values of the government's foreign policy, assessing risks and threats and setting out how to address them. In particular, this involves co-ordinating the Integrated Review, which evolved out of strategic defence reviews published in the decades following the Second World War. The 2010 and 2015 Strategic Defence and Security Reviews expanded the scope, incorporating national security as well as defence.

The Integrated Review is "a comprehensive articulation of the UK's national security and international policy".[351] This overarching strategy is intended to inform and guide national security, international and domestic policy.[352]

Integrated Review publications begin with a foreword written by the Prime Minister.[353]

Parliament has a Joint Committee on the National Security Strategy. This scrutinises the structures for government decision-making on national security, particularly the role of the National Security Council and the National Security Adviser.[354]

The sensitive subject matter necessitated the granting of access to some Cabinet Office papers by the Prime Minister in 2013. In 2014, the Joint Committee took evidence from the Prime Minister, who does not usually give evidence to select committees other than the Liaison Committee.[355]

349 Commons Library research briefing CBP7456, The UK National Security Council.
350 Tony Blair's war cabinet, Guardian, 20 March 2003.
351 The Integrated Review 2021, Cabinet Office.
352 Commons Library research briefing CBP9750, The Integrated Review Refresh 2023: What has changed since 2021?
353 See Integrated Review Refresh 2023: Responding to a more contested and volatile world, Cabinet Office, 13 March 2023, pp2-4.
354 National Security Strategy (Joint Committee), UK Parliament website.
355 Erskine May, para 41.13

9.3 Oversight of counter-terrorist policies and arrangements

The Prime Minister has long taken the lead on counterterrorism alongside the Home Secretary, most notably during the period known as "the Troubles".

In recent years the government has developed a parallel regime aimed at countering state threats. This is distinct from its counter-terrorism policy. After the poisoning of Sergei and Yulia Skripal in Salisbury in March 2018, which was attributed to the Russian state, the government expelled Russian diplomats who had been identified as undeclared intelligence officers. The then Prime Minister, Theresa May, stated that this would "degrade Russian intelligence capability in the UK for years to come".[356]

The government subsequently passed the Counter-Terrorism and Border Security Act 2019, which introduced powers to stop, question, search and detain people at ports and borders to determine whether they appear to be, or have been, engaged in hostile state activity. The National Security Act 2023 also replaced existing counter-espionage laws with a comprehensive framework for countering hostile state activity.[357] Section 93 of that Act obligated the Prime Minister and the Intelligence and Security Committee of Parliament (see **Section 9.4**) to consider whether the memorandum of understanding under section 2 of the Justice and Security Act 2013 should be altered (or replaced) to reflect any changes arising from the 2023 Act.

9.4 Overall efficiency of the Secret Services

Within government, the Prime Minister has overall responsibility for the intelligence services. The Home Secretary has specific responsibility for the Security Service, the Foreign Secretary for the Secret Intelligent Service and GCHQ, and the Defence Secretary for the Defence Intelligence staff. The day-to-day operations of these agencies are overseen by their respective Heads, each of which has a statutory duty to provide annual reports to the Prime Minister and respective Secretary of State.

The Intelligence Services Act 1994 established the Intelligence and Security Committee (ISC). It therefore has statutory responsibility for oversight of the UK Intelligence Community. Members of the ISC are nominated by the Prime Minister and appointed by Parliament, to which the ISC reports.[358] The ISC's function is to examine the expenditure, administration, policy and operations of the UK's three main intelligence and security agencies. It may also examine

356 HC Deb 14 March 2018 Vol 637 cc855-58 [Salisbury Incident]
357 Commons Library research briefing CBP9750, National Security Bill 2022-2023.
358 Originally the Prime Minister could directly appoint members of the ISC, but section 1 of the Justice and Security Act 2013 reduced this power to nomination. The Prime Minister was also able to appoint the ISC chair, who is now selected by other Committee members.

or oversee other intelligence and security matters, as set out in memoranda of understanding agreed between the Prime Minister and the ISC.[359] The ISC can be requested by the Prime Minister to consider operational matters. Completed reports are sent to the Prime Minister for consideration. As the Committee's website explains:

> Under the Justice and Security Act 2013 the Committee can only lay its reports before Parliament once the Prime Minister has confirmed that there is no material in them which would prejudice the discharge of the functions of the Agencies or – where the Prime Minister considers that there is such material in the report – once the Prime Minister has consulted the Committee and then they have then excluded the relevant material from the report. While there are no timescales for this process set out in the relevant legislation, as a matter of convention the Committee sends its report to the Prime Minister clearly requesting that confirmation be given within a standard ten working days.[360]

Under a convention known as the "Wilson Doctrine",[361] intelligence agencies did not normally intercept the communications of an MP without the Prime Minister's approval. In a written statement on 4 November 2015, David Cameron confirmed the doctrine still applied,[362] although the requirement for prime ministerial approval was made statutory under sections 26 and 111 of the Investigatory Powers Act 2016.[363]

Under section 227 of that Act, the Prime Minister appoints an Investigatory Powers Commissioner (IPC, currently Sir Brian Leveson) and a number of Judicial Commissioners to provide independent oversight of the use of intrusive powers by the security agencies and makes an annual report to the Prime Minister, which is then published and laid before Parliament, subject to necessary redactions.[364]

Section 230 provides that the Prime Minister can direct the Commissioner to review any other functions of the agencies. The Prime Minister must publish such a direction unless exceptions apply. The ISC can also request that the Prime Minister make a direction to oversee a new area of activity.[365]

Under section 61 of the Regulation of Investigatory Powers Act 2000, the Prime Minister, after consultation with the First Minister and deputy First Minister in Northern Ireland, appoints the Investigatory Powers Commissioner for Northern Ireland.

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359 Justice and Security Act 2013, section 2.

360 How the Committee works, Intelligence and Security Committee of Parliament website.

361 This took its name from Harold Wilson, the Prime Minister who introduced the rule (see HC Deb 17 November 1966 Vol 736 cc634-41 [Telephone Tapping]).

362 UIN HCWS291, 4 November 2015, The Wilson Doctrine.

363 The Investigatory Powers (Amendment) Bill 2023-24 proposes changes to these provisions. See Commons Library research briefing CBP9960, Investigatory Powers (Amendment) Bill [HL], pp38-39.

364 Investigatory Powers Act 2016, section 234.

365 Oversight of the intelligence agencies: a comparison of the 'Five Eyes' nations, UK Parliament website.

9.5 Preparation of the "War Book"

Until the 1980s, the Government War Book specified the actions to be taken by ministers and officials during a period of war. These might be:

> immediate and vital security measures which require decision at the earliest possible moment when there is a threat of war; institution of the Precautionary Stage and the principal measures which would automatically be brought into operation during the course of that Stage; measures which require separate Cabinet decisions during the Precautionary Stage; and measures required with the onset of war.[366]

With the end of the Cold War, separate arrangements for civil defence and emergency planning were "combined and underpinned" by statute (see **Section 9.6** below). The traditional Government War Books were archived, although the National Security Secretariat (see **Section 9.1**) "retains an overview to ensure that relevant material can be accessed quickly if needed".[367]

9.6 Contingency planning

Lord Hennessy observed that the Prime Minister leads on coping "with threats to essential services and national health from whatever sources".[368]

The First Lord of the Treasury (the Prime Minister) is one of the senior Ministers of the Crown who may make emergency regulations under section 20 of the Civil Contingencies Act 2004. If necessary, these would not require parliamentary approval.

Section 21 lays down conditions for making emergency regulations, which are that an emergency has occurred, is occurring or is about to occur, and that it is necessary to make provision for the purpose of dealing with the emergency. The 2004 Act presumes that emergency regulations will not be made where existing legislation (or provision which could be made under it) is adequate.[369]

This was judged to be the case during the Covid-19 pandemic. The Prime Minister was the public face of the UK's response, making regular television broadcasts and leading press conferences alongside the Chief Medical Officer.

Since its creation in 1993, the Council for Science and Technology has also advised the Prime Minister on:

366 Cabinet Office: War Books, The National Archives website.
367 UIN HL55, 27 May 2015, Emergencies
368 Written evidence submitted by Lord Hennessy, 21 February 2011.
369 Commons Library research briefing CBP8488, Brexit: contingency planning and powers.

- the opportunities and risks that science, technology and disruptive innovation present; using horizon scanning to highlight issues about:
  - research and science capability
  - innovation and the economy
  - health and quality of life within the UK
  - sustainable development and resilience
- how science, engineering, technology and mathematics (STEM) can be developed and sustained in the UK; this can be through education and skills, and the promotion of international co-operation
- what the government's high-level priorities for science and technology should be[370]

9.7 Deployment of the Armed Forces

The decision to use military force is made under the royal prerogative by the Prime Minister in consultation with the Foreign and Defence Secretaries. As such, it does not, "as a matter of law or constitutionality, require the prior approval of Parliament".[371]

In the event of a declaration of war or the commitment of UK forces to military action,[372] constitutional convention requires that authorisation is given by the Prime Minister on behalf of the Crown. Decisions on military action are taken within the Cabinet with advice from, among others, the National Security Council and the Chief of the Defence Staff.[373]

In 2011 the government said a convention had emerged whereby Parliament would be consulted when deploying the Armed Forces in military action overseas, except in an emergency.[374]

Parliament was consulted in 2003 (Iraq), 2011 (Libya) and 2013 (Syria). The latter vote against military action was considered binding by the then government. In 2018, however, Theresa May (when Prime Minister) repudiated this convention by unilaterally authorising bombing in Syria on humanitarian

370 About us, Council for Science and Technology website.
371 HL Deb 19 February 2003 Vol 644 c1139 [Declaration of War: Parliamentary Approval]
372 The UK has made no declaration of war since that against Siam (modern Thailand) in 1942. Developments in international law since 1945, notably the United Nations (UN) Charter, has made the declaration of war redundant as a formal international legal instrument (House of Lords Select Committee on the Constitution, Waging war: Parliament's role and responsibility Volume I: Report, HL Paper 236-I, 27 July 2006, paras 9-10).
373 Commons Library research briefing CBP7166, Parliamentary approval for military action, p4.
374 HC Deb 10 March 2011 Vol 524 c1066 [Business of the House]

grounds.[375] There was also no parliamentary consultation on action in Yemen/the Red Sea in 2024.[376]

It is generally the practice that the Prime Minister leads any such debate in the House of Commons. Tony Blair did so regarding Iraq on 18 March 2003,[377] while on 15 January 2024, Rishi Sunak updated the House on military strikes on Houthi rebels in Yemen.[378] Subsequent statements regarding military action are generally made by the Defence Secretary.

9.8 Use of treaty prerogatives

The signing of treaties is a prerogative power which does not have a statutory basis. Although the King is head of state, he does not "sign" treaties. Instead, it is:

> established practice for [Foreign, Commonwealth and Development Office] ministers and certain UK Representatives to hold General Full Powers signed by the Monarch [...] giving them authority to sign any treaty (in practice subject to being instructed by the FCDO in each case).[379]

In practice, the Prime Minister will authorise the UK's accession to any major treaty and, on occasion, sign it personally. As Prime Minister, Edward Heath signed the UK's treaty of accession to the then European Economic Community in Brussels on 22 January 1972.[380]

The Constitutional Reform and Governance Act 2010 gave the House of Commons the power to delay (but not veto) ratification of some treaties, although this does not cover non-binding agreements or amendments made to binding treaties.[381]

The recognition of states is another prerogative power. This is given effect through inter-governmental contact, for example in a letter from the Prime Minister and Foreign Secretary to their counterparts in the state to be granted recognition.[382]

Decisions made under the royal prerogative can be challenged in the courts. In *R (Wheeler) v Office of the Prime Minister*, the applicant sought a

375 Commons Library research briefing CBP7166, Parliamentary approval for military action, Section 3.3.
376 Commons Library research briefing CBP9934, Yemen airstrikes: Parliament's role in approving military action.
377 HC Deb 18 March 2003 Vol 401 cc760-74 [Iraq]
378 PM statement on defending the UK and its allies: 15 January 2024, Prime Minister's Office, 10 Downing Street, 15 January 2024.
379 Foreign, Commonwealth & Development Office, Treaties and MOUs: Guidance on Practice and Procedures, 22 March 2022.
380 Treaty concerning the Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom to the EEC and the EAEC (Brussels, 22 January 1972), CVCE website.
381 This placed the Ponsonby Rule, a constitutional convention first set out in 1924, on a statutory basis. See Commons Library research paper CBP9247, How Parliament treats treaties.
382 HC Deb 13 June 2006 Vol 447 cc52-3WS [Republic of Montenegro]

declaration that the Prime Minister's refusal to hold a referendum on the UK's membership of the European Union was in breach of his legitimate expectation and therefore unlawful. The court decided that any judgment which purported to place a duty or obligation on the Prime Minister or the Foreign Secretary to do an act within Parliament in their capacity as MPs would trespass impermissibly on the province of Parliament.[383]

[383] *R (Wheeler) v Office of the Prime Minister* [2008] EWHC 1409 (Admin), para 49.

10 Special personal responsibilities

1. Representing the UK at a range of international meetings and "summits"
2. Maintenance of relations with the United States
3. Decision to shoot down aircraft
4. Authorising use of UK nuclear weapons[384]

10.1 Representing the UK internationally

The Prime Minister represents the UK at a range of international meetings, even during a general election.[385] These include the:

- Conference of the Parties to the UN Framework Convention on Climate Change (COP)
- Group of Seven (G7) summit
- Group of Twenty (G20) summit[386]
- Joint Expeditionary Force summit
- Munich Security Conference
- Council of Europe summit
- European Political Community
- North Atlantic Treaty Organization (NATO) summit
- United Nations General Assembly[387]
- Commonwealth Heads of Government Meeting

384 Written evidence submitted by Lord Hennessy, 21 February 2011.
385 As Prime Minister, Rishi Sunak was heavily criticised for choosing not to attend the international part of D-Day commemorations during the 2024 UK general election campaign.
386 PM meeting with President Biden of the United States: 16 November 2022, Prime Minister's Office, 10 Downing Street, 16 November 2022.
387 In 2023 Rishi Sunak became first Prime Minister in several years not to attend the UN General Assembly Meeting. Oliver Dowden, Deputy Prime Minister, attended and gave a speech on Mr Sunak's behalf.

On returning to the UK from international meetings, the Prime Minister often makes a statement in the House of Commons and takes questions, although they are not obliged to do so.[388]

The Prime Minister can also initiate ad hoc summits. During 2023, for example, Rishi Sunak hosted a Global Investment Summit[389] and the first global summit on Artificial Intelligence.[390]

Until the UK left the European Union in January 2020, the Prime Minister was a member of the European Council (EU Member States' heads of state or government) and regularly attended Council meetings.[391]

Appointments to international delegations

The Prime Minister also appoints members of both Houses to various UK delegations, normally in a written ministerial statement and following consultation with other political parties.[392] These are:

- Parliamentary Assembly of the Organization for Security and Co-operation in Europe[393]
- Parliamentary Assembly of the Council of Europe[394]
- UK-EU Parliamentary Partnership Assembly[395]

10.2 Maintenance of relations with the United States

In 1946 Winston Churchill (then a former Prime Minister) coined the term "special relationship" to describe the "close political, cultural, and historical ties" between the United Kingdom and the United States.[396]

This relationship is underpinned by the 1946 British-US Communication Intelligence Agreement, the 1958 Agreement for Co-operation on the Uses of

388 See, for example, PM House of Commons statement on G20 and COP26 World Leaders Summit: 3 November 2021, Prime Minister's Office, 10 Downing Street, 3 November 2021.
389 Prime Minister unveils £29.5bn of investment at historic Global Investment Summit, Prime Minister's Office, 10 Downing Street, 27 November 2023.
390 UK to host first global summit on Artificial Intelligence, Prime Minister's Office, 10 Downing Street, 7 June 2023.
391 PM statement on European Council, Prime Minister's Office, 10 Downing Street, 24 June 2019.
392 This can be delegated to another minister.
393 Erskine May, para 10.7
394 Erskine May, para 10.3
395 Erskine May, para 10.8A
396 The US-UK Special Relationship: Time for a Reset, Not an End, Foreign Policy Research Institute, 22 February 2024.

Atomic Energy for Mutual Defence Purposes and the 1963 Polaris Sales Agreement.

In June 2023, the UK and US signed a new agreement called the Atlantic Declaration for a Twenty-First Century US-UK Economic Partnership (Atlantic Declaration). This resolved "to deepen the transatlantic relationship".[397]

After meeting President Biden for the first time in 2021, Boris Johnson said he thought of the association as "an indestructible relationship" or the "deep and meaningful relationship":

> It's a relationship that has endured for a very long time, and has been an important part of peace and prosperity both in Europe and around the world.[398]

President John F. Kennedy meets Prime Minister Harold Macmillan at Government House in Bermuda in 1961 (Robert L. Knudsen, White House Photographs, John F. Kennedy Presidential Library and Museum).

397 Stephen Hunsaker, The Atlantic Declaration: A win for Sunak?, UK in a Changing Europe, 29 June 2023.

398 G7: UK and US have an 'indestructible relationship', PM says, BBC News online, 11 June 2021.

Some commentators have argued that the special relationship is overstated or a "myth".[399]

The special relationship also involves Northern Ireland. In April 2023, President Joe Biden met Rishi Sunak in Belfast to reflect on the legacy of the Belfast/Good Friday Agreement, 25 years after it was signed.

10.3 Decision to shoot down aircraft

According to Lord Hennessy, the Prime Minister is responsible for the decision:

> to shoot down a hijacked aircraft or an unidentified civil aircraft which responds neither to radio contact nor the signals of RAF interceptor jets, before it reaches a conurbation or a key target on UK territory (plus the appointment of two or three deputies for this purpose).[400]

This has never happened in the UK. The Commons Defence Committee considered this scenario in a 2006 report.[401] In response, the government said:

> We firmly believe that a decision of this magnitude should not be delegated to officials, whether civilian or military, and that any decision to shoot down a suspected rogue civilian aircraft must be taken by Ministers.[402]

10.4 Authorising use of UK nuclear weapons

The UK has been a nuclear weapon state since 1952. It is one of the five officially recognised nuclear states under the Nuclear Non-Proliferation Treaty (NPT).[403]

The Ministry of Defence states that:

> The UK's nuclear deterrent is operationally independent. Only the Prime Minister can authorise the use of our nuclear weapons even if deployed as part of a NATO response. We would consider using our nuclear weapons only in

399 Natalie Kulenicz, Anglo-American Relations in the Twentieth Century – was the Special Relationship Just a Myth?, Oxford Royale website. For an analysis of how a Prime Minister's leadership style impacts the foreign policy-making process, see Juliet Kaarbo and Margaret C. Hermann, Leadership Styles of Prime Ministers: How Individual Differences Affect the Foreign Policymaking Process, Leadership Quarterly 9:3, 1998, pp243-63.

400 Written evidence submitted by Lord Hennessy, 21 February 2011.

401 Commons Defence Committee, Defence and Security in the UK, HC518, 17 July 2002.

402 Government response to the Defence Select Committee's Report on Defence and Security in the UK, para 9.

403 Commons Library research briefing CBP9077, Nuclear weapons at a glance: United Kingdom.

> extreme circumstances of self-defence, including the defence of our NATO allies.[404]

On assuming office, the Prime Minister is responsible for writing four "letters of last resort". These are four identical handwritten letters given to the commanders of each of the UK's nuclear deterrent submarines setting out the last nuclear directive of the Prime Minister in the event UK government is destroyed in a nuclear strike. The contents of those letters are only known to the sitting Prime Minister but set out one option out of a set of four last resort protocols:

- Retaliate
- Do not retaliate
- For the submarine commander to make his own judgement
- To place the nuclear submarine under the command of an ally, preferably the United States or Australia[405]

These letters are destroyed, unopened, each time a new Prime Minister takes office.

It is understood that in the event the Prime Minster is incapacitated, or dies, a previously nominated ministerial deputy (most likely the Deputy Prime Minister) would assume responsibility for nuclear authorisation.[406]

More broadly, the Prime Minister leads on the UK's nuclear and defence policy. In March 2023, for example, Rishi Sunak agreed the next phase of the AUKUS submarine programme with President Biden and Australian Prime Minister Anthony Albanese in San Diego, California.[407]

404 The UK's nuclear deterrent: what you need to know, Ministry of Defence.
405 The nuclear promise: letters of last resort, Forces Net, June 2019. See also Now Keir Starmer Has to Decide If He'd Use Nukes, The Atlantic, 5 July 2024.
406 John Gower, United Kingdom: Nuclear weapon command, control and communications, Nautilus report, September 2019.
407 Commons Library research briefing CBP9843, AUKUS submarine (SSN-A) programme.

11 Other aspects of the Prime Minister

11.1 Official residences

10 Downing Street

According to the historian Sir Anthony Seldon, Number 10 Downing Street "vies with the White House as being the most important political building anywhere in the world in the modern era".[408]

In the 1730s the architect William Kent built new offices for the Treasury and renovated Number 10 Downing Street, which became the official residence of the First Lord of the Treasury (rather than of the Prime Minister) in 1735.

Kent designed corridors to link the two buildings, providing Sir Robert Walpole with access to his Treasury staff. From the 1960s the Cabinet Office was based in the area previously occupied by the Treasury, creating the same physical proximity.[409]

Rishi Sunak is interviewed by Piers Morgan in the flat above 10 Downing Street (Number 10, Creative Commons Attribution 2.0).

[408] History of 10 Downing Street, History of the UK Government.
[409] The Institution of Prime Minister, History of government blog, 1 January 2012.

The Prime Minister regularly entertains guests at official functions at 10 Downing Street.[410]

Situated above the State Rooms at Number 10 is the Prime Minister's private apartment, which was adapted for that purpose in the late 1930s by Neville Chamberlain and his wife. The flat includes a drawing room, a small dining room and several bedrooms.

Not all recent Prime Ministers have inhabited this flat. As premier, Tony Blair lived with his family in the flat above Number 11 Downing Street because it was larger than the flat above 10 Downing Street. The latter was occupied by Gordon Brown as Chancellor. When Gordon Brown became Prime Minister, he moved into the flat above number 11 and Alistair Darling took over the flat above number 10. Similarly, David Cameron indicated early in his premiership that he would be moving to the flat above No 11 while his Chancellor, George Osborne, used the flat above No 10.[411]

The government is legally required to maintain Downing Street to standards appropriate to its Grade 1- and 2-listed status. Prime Ministers receive an annual allowance of up to £30,000 a year from the Treasury to contribute towards the costs associated with maintaining and furnishing the residency within the Downing Street estate.[412] The registered legal title of 10 Downing Street is held in the name of the Secretary of State for Housing, Communities and Local Government.[413]

During 2021-22 there was controversy regarding private donations Boris Johnson received to subsidise the funding of improvements to the Downing Street flat he occupied with his wife Carrie Symonds.[414]

In a series of blogs, Jack Brown, the first "Researcher in Residence" at Number 10, explored the historical background to its rebuilding; the "geography of power" and Number 10's layout; how the Prime Minister intervened in the redesigning of Number 10 and its surrounding buildings and, finally, the reconstruction during Harold Macmillan's premiership.

Chequers

Under the Chequers Estate Act 1917, Sir Arthur Lee gifted his 16th-century house and estate to the nation in 1921. It was intended to serve as a country retreat for whoever was Prime Minister.[415] The Act, which included the first

410 See, for example, Prime Minister celebrates Scottish culture in Burns Night Downing Street reception, Prime Minister's Office, 10 Downing Street, 25 January 2023.
411 Commons Library research briefing SN03367, Ministerial Residences, pp9-10.
412 Cabinet Office Annual Report and Accounts 2022-23, HC 1464, Cabinet Office, 19 September 2023, p185 fn2.
413 10 Downing Street: Ownership, Cabinet Office, UIN 21385.
414 Downing Street refurbishment: What is the row about?, BBC News online, 22 January 2022.
415 For the history of Chequers, see Norma Major, Chequers: The Prime Minister's Country House and its History, London: HarperCollins, 1996.

statutory reference to the office of Prime Minister, included Sir Arthur's reasoning:

> It is not possible to foresee or foretell from what classes or conditions of life the future wielders of power in this country will be drawn. Some may be as in the past men of wealth and famous descent; some may belong to the world of trade and business; others may spring from the ranks of the manual toilers. To none of these in the midst of their strenuous and responsible labours could the spirit and anodyne of Chequers do anything but good [...]
>
> Apart from these more subtle influences, the better the health of our rulers the more sanely will they rule and the inducement to spend two days a week in the high and pure air of the Chiltern hills and woods will, it is hoped, benefit the nation as well as its chosen leaders. The main features of this scheme are therefore designed not merely to make Chequers available as the official country residence of the Prime Minister of the day, but to tempt him to visit it regularly and to make it possible for him to live there, even though his income should be limited to his salary.[416]

Details of official hospitality at Chequers are published on a quarterly basis.[417]

In 2007, the Chequers estate was designated as a protected site under section 128 of the Serious Organised Crime and Police Act 2005. This specifically criminalised trespass onto the estate.

In July 2018, Theresa May (as Prime Minister) held a Cabinet meeting at Chequers to agree the UK's approach to Brexit.[418]

Chequers (Stephen Simpson).

416 Chequers Estate Act 1917, Schedule. The Chequers Estate Act 1958 authorised the payment of Exchequer grants in aid of the expenses of the administrative trustees under the original deed.

417 Chequers: Official Visits, Cabinet Office, UIN 14633. See, for example, Guests to Chequers, October to December 2015, Cabinet Office and Prime Minister's Office, 10 Downing Street, 17 March 2016.

418 At-a-glance: The new UK Brexit plan agreed at Chequers, BBC News online, 7 July 2018.

Chevening

Under the Chevening Estate Act 1959, Chevening has served as a country residence for a person nominated by the Prime Minister. They have either to be a member of the Cabinet or a lineal descendant of King George VI.[419] It has traditionally been used by the Foreign Secretary.

Dorneywood

In 1942 Lord Courtauld-Thomson gave his Buckinghamshire home, Dorneywood, to the National Trust. While a convention in recent years has seen the Chancellor of the Exchequer make use of the house, the gift was originally made to provide an official furnished residence, besides Chequers, for the Prime Minister of the day, or for the use "of a Minister of the Crown, within easy reach of London".[420] The Prime Minister decides which minister can occupy Dorneywood. When Gordon Brown (as Chancellor) decided not to use it after 1997, it was instead occupied by John Prescott as Deputy Prime Minister.

A Board of Trustees oversees the Dorneywood Trust, two of whom are nominated by the Prime Minister.[421] With the agreement of the resident minister, some of the garden at Dorneywood is opened to the public on a few days each year.[422]

Other official residences

Other official residences allocated by the Prime Minister are Hillsborough Castle and 1 Carlton Gardens,[423] which are usually occupied by the Secretary of State for Northern Ireland and Foreign Secretary, respectively.

Admiralty House contains state rooms, which are used for events, and three flats, which can be allocated at the request of the Prime Minister.[424]

11.2 Salary and pension

Salary

Until 1937 the Prime Minister was paid £5,000 a year. They were expected to staff and furnish 10 Downing Street at their own expense.[425] Ramsay

419 Chevening Estate Act 1959, Schedule. The Chevening Estate Act 1987 established an incorporated board of trustees. Two are appointed by the Prime Minister.
420 House of Commons Library, Deposited paper 06/1243, Copy of the Trust Deed relating to Dorneywood, 9 November 1942, p5.
421 The Dorneywood Trust, Dorneywood website.
422 Dorneywood Garden, National Trust website.
423 Ministers: Official Residences, Cabinet Office, UIN 10698.
424 Admiralty House, Cabinet Office, UIN 43478.
425 Chequers, by contrast, was generously funded via its trust.

MacDonald, the first Labour Prime Minister, struggled financially as a result.[426]

The Ministers of the Crown Act 1937 provided an increased salary for the Prime Minister (£10,000), Cabinet ministers and the Leader of the Opposition, whose role was recognised for the first time.[427] This was the second statute formally to recognise the office of Prime Minister.

The 1937 Act was repealed by the Ministerial Salaries Consolidation Act 1965. The Ministerial and other Salaries Act 1975 consolidated enactments relating to the salaries of ministers, opposition leaders and chief whips. Under that Act, the Prime Minister and First Lord of the Treasury received a salary of £ 76,762.[428] Section 1A makes provision for ministerial and other salaries to increase annually based on the average increase in Senior Civil Service pay. This means the Prime Minister's current salary (in addition to the £91,346 received as an MP) is £80,807, of which £75,440 was claimed by Sir Keir Starmer in October 2024.[429]

There is no obligation for a Prime Minister to publish details of other income, although Rishi Sunak did so in February 2024.[430]

Pension

The Prime Minister was first provided with a pension under the Ministers of the Crown Act 1937.

The Parliamentary and Other Pensions Act 1972 made provision for pensions and related benefits payable to individuals who had held the office of Prime Minister.[431] It also provided the basis for the payment from the Consolidated Fund of pensions to widows and widowers or for the benefit of children of deceased Prime Ministers.

The Ministerial and other Pensions and Salaries Act 1991 allowed the Prime Minister and Speaker to participate in the pension scheme for MPs, the Parliamentary Contributory Pension Fund (PCPF). This is a statutory defined benefit pension scheme which comprises the MPs' Pension Scheme and the Ministers' Pension Scheme. Former ministers, including former Prime Ministers, who were MPs therefore receive pensions from both schemes.[432]

Since 24 October 2011, under the Constitutional Reform and Governance Act 2010, the Independent Parliamentary Standards Authority (IPSA) has been responsible for determining MPs' pensions and the Minister for the Civil

426 David Torrance, The Wild Men: The Remarkable Story of Britain's First Labour Government, London: Bloomsbury Continuum, 2024, pp38-39.
427 The Ministers of the Crown Act, 1937, Modern Law Review 1:2, September 1937, pp145-48.
428 Ministerial and other Salaries Act 1975, Schedule 1.
429 Prime Minister: Pay, Cabinet Office, UIN 8128.
430 Prime Minister Rishi Sunak's schedule of taxable sources of income and gains 2022/23, Prime Minister's Office, 10 Downing Street, 9 February 2024.
431 This was later amended by the Parliamentary And Other Pensions And Salaries Act 1976.
432 Commons Library research briefing SN04586, Pensions of ministers and senior office holders.

Service (the Prime Minister) for determining ministerial pensions. The PCPF has ten trustees, one of whom is appointed by the Minister for the Civil Service.[433]

In a report published in January 2008, the Senior Salaries Review Body recommended the end of the separate pension arrangements for the Prime Minister, Lord Chancellor and Speaker.[434] Under the Public Service Pensions Act 2013 the Prime Minister was included in the Ministers' Pension Scheme on the same basis as other ministers. That Act also repealed the future provision of pensions to surviving dependants of Prime Ministers.

A Freedom of Information request later revealed that Gordon Brown and David Cameron, while entitled to take a pension in line with pre-2013 legislation, had waived this right and "instead are already receiving or will receive a pension in line with a pension available to a Secretary of State", based on the PCPF.[435]

On 17 December 2014, the Minister for the Civil Service (the Prime Minister) announced that the old final salary Ministers' Pension Scheme was to be replaced with a new Career Average Revalued Earnings (CARE) scheme. This is a form of defined benefit pension scheme.[436] The amount of pension built up by Prime Ministers under this depends on how long they have served in that office. Trustees of the Ministers' Pension Scheme have discretion to pay pensions to surviving dependants and/or children of Prime Ministers who have died.[437]

11.3 Public Duty Costs Allowance

The Public Duty Costs Allowance (PDCA) was arranged by the then Cabinet Secretary Sir Robin Butler following Margaret Thatcher's resignation as Prime Minister in 1990. It was announced by her successor Prime Minister, John Major, in March 1991.[438]

According to the Cabinet Office, the PDCA was introduced to "assist former Prime Ministers still active in public life". Payments are made only to meet the "actual cost of continuing to fulfil public duties":

> The costs are a reimbursement of incurred expenses for necessary administrative costs arising from their special position in public life. Generally, these costs can include managing an office (staffing and administration costs);

433 For annual reports and accounts, see www.mypcpfpension.co.uk
434 Senior Salaries Review Body, Review of Parliamentary pay, pensions and allowances 2007, Cmnd 7270, January 2008, p41.
435 Freedom of Information Act 2000: money received by former Prime Ministers, HM Treasury, 18 May 2017.
436 Erskine May, para 4.17
437 Ministerial CARE Pension Scheme: A guide for members, House of Commons, October 2019, pp15-17.
438 HC Deb 27 March 1991 Vol 188 c426W [Former Prime Ministers]

handling correspondence as a former Prime Minister; and support with visits and similar activities.[439]

The allowance is not paid to support private or parliamentary duties, nor is it used for security purposes. The PDCA is in addition to any constituency office a former Prime Minister may maintain as an MP. The PDCA is paid from the Cabinet Office budget and administered by the Cabinet Office Finance Team.

All former Prime Ministers are eligible to draw on the PDCA but cannot claim it if they are serving as Leader of the Opposition. The level of the allowance is reviewed if a former Prime Minister accepts any paid public appointment.[440] The limit is currently set at £115,000 and has remained frozen since 2011. The level of the limit is reviewed by the Prime Minister at the start of a Parliament and annually. In addition to the PDCA, former Prime Ministers are entitled to claim a pension allowance to contribute towards staff pension costs. Staff salaries continue to be paid for the three months following the death of a former Prime Minister.[441]

The annual amount received by each PDCA claimant is published each year in the Cabinet Office Annual Report and Accounts.[442]

11.4 Transport

Until 1939, the Prime Minister was not provided with transport. During his first brief premiership in 1924, Ramsay MacDonald made private arrangements for a chauffeur-driven Daimler.[443] At the outbreak of the Second World War, however, six chauffeur-driven Austin cars were placed at the disposal of the War Cabinet, of which the Prime Minister was a member.

A Government Car Service was created in 1946.[444]

Today there is a dedicated leased transport aircraft service for the Prime Minister and ministerial air travel requirements, which is paid for centrally by the Cabinet Office.[445]

The Ministerial Code states that the:

439 Public Duty Costs Allowance guidance, Cabinet Office, 31 March 2023.

440 Downing Street confirmed in November 2023 that the former Prime Minister David Cameron would not claim from the PDCA while Foreign Secretary (MP files letter of no confidence in Rishi Sunak as reshuffle backlash begins, The Times, 13 November 2023).

441 Public Duty Costs Allowance guidance, Cabinet Office, 31 March 2023.

442 For the totals claimed by former Prime Ministers between 1997 and 2009 see HC Deb 6 April 2010 Vol 508 c1173WA [Public Duty Costs Allowance].

443 When it emerged in September 1924 that this had been funded by a businessman friend of the Prime Minister who later received a baronetcy, there were accusations of "cash for honours" (David Torrance, The Wild Men, pp186-89).

444 Geoffrey Dudley, The Outer Cabinet: A History of the Government Car Service, London: Government Car and Despatch Agency, 2011.

445 Cabinet Office Annual Report and Accounts 2022-23, HC 1464, Cabinet Office, 19 September 2023, p196.

> Prime Minister, and any other Minister for whom the security authorities exceptionally consider it essential, may use their official cars for all journeys by road, including those for private or party purposes.[446]

According to the BBC, former Prime Ministers are entitled to a car and a driver, as is their spouse.[447]

11.5 Security

According to Politico, decisions about taxpayer-funded security for former Prime Ministers are taken by the Executive Committee for the Protection of Royalty and Public Figures (RAVEC). This committee includes figures from the Home Office, Metropolitan Police and the Royal Household.[448]

The Specialist Protection Branch of the Metropolitan Police Protection Command provides armed protection for the current UK Prime Minister, and for surviving former Prime Ministers.[449]

11.6 Prime Ministerial gifts

Gifts of ornaments and jewellery received by past and present Prime Ministers (and their spouses) are treated as donated assets within art and antiques and capitalised at their fair value upon receipt. They are also subject to professional valuation on a regular basis as required.[450]

11.7 Prime Ministers returning to government

There is no fixed role for former Prime Ministers once they leave office.[451] Many have remained as Members of Parliament or returned to serve in governments led by others.[452] A list of former British Prime Ministers who returned to government is available at the website of the Prime Minister's Office.[453]

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446 Ministerial Code, para 10.16.
447 When were prime ministers banned from driving?, BBC News online, 19 February 2015.
448 Britain is awash with failed prime ministers. It's costing taxpayers a fortune, Politico, 4 July 2023.
449 SO1 Specialist Protection, Elite UK Forces website.
450 Cabinet Office Annual Report and Accounts 2022-23, p170.
451 For an analysis of Sir Tony Blair's post-premiership career, see Tony Blair – Labour Leader, Diplomat, Peace Negotiator, Britannica website.
452 British Prime Ministers who returned to government, Prime Minister's Office, 10 Downing Street website, 14 November 2023.
453 For a full study see Kevin Theakston, After Number 10: Former Prime Ministers in British Politics, London: Palgrave Macmillan, 2010.

Most recently, David Cameron (Prime Minister between 2010 and 2016) was appointed Foreign Secretary in November 2023.

It is the custom for former Prime Ministers to join the incumbent premier at the annual Remembrance Sunday service at the Cenotaph in London.[454] All former Prime Ministers also attended the Accession Council of King Charles III and the funeral of Queen Elizabeth II in September 2022, as well as the Coronation of King Charles and Queen Camilla in May 2023.

The academics Alia Middleton and Louise Thompson have analysed the backbench behaviour of 12 former UK Prime Ministers following their departure from Downing Street.[455]

11.8 Prime Ministerial memoirs

Most (but not all) former Prime Ministers have written memoirs of their time in office.[456] These are subject to the principles of the Radcliffe Report in relation to ministerial memoirs. In short, a former Prime Minister is free to use their ministerial experience "for the purpose of giving an account of his own work", subject to restrictions on three categories of information:

- information relating to national security
- information relating to the UK's relations with other countries, and
- information destructive of the confidential relationships upon which our system of government is based

In the first two areas, the Radcliffe Committee considered that:

> information must be withheld from publication for however long may be necessary and that authors must be prepared to accept as final the judgment of the current Prime Minister as to what material it would be harmful to publish.[457]

All former ministers (including former Prime Ministers) intending to publish their memoirs are required to submit the manuscript to the Cabinet Secretary, who acts at the request and on behalf of the incumbent Prime Minister.[458] According to a Cabinet Office spokesperson, former Prime Minister Liz Truss

454 Rishi Sunak joined by former PMs at Cenotaph for Remembrance Sunday, Guardian, 12 November 2023.

455 Alia Middleton and Louise Thompson, More than a memento mori? Assessing the participation of former Prime Ministers in the House of Commons, British Journal of Politics and International Relations, December 2023.

456 The first were David Lloyd George's War Memoirs, which were published in the 1930s, although exceptions since that date have included Ramsay MacDonald and Neville Chamberlain.

457 HC Deb 22 January 1976 Vol 903 cc521-23W [Ministerial Memoirs (Radcliffe Report)]

458 The Cabinet Manual, para 11.31.

broke these rules by publishing a book, Ten Years to Save the West, in April 2024 without the necessary agreement on the text.[459]

Ministers have the right to consult otherwise confidential material from their time in office but have to do so in person. In the case of former Prime Ministers, "access can be extended to those on the former Prime Minister's staff who would have had access to the material at the time and would therefore have had the relevant security clearance".[460]

When Prime Ministers leave office, it is customary for them to be allowed to take away copies of certain categories of personal material, demonstrating important aspects of their time in office. It has also been customary for former Prime Ministers to donate such material to a library or archive centre for research purposes.[461]

11.9 Honours for former Prime Ministers

Upon retirement from the office, it is customary for the Sovereign to grant a Prime Minister some honour or dignity.

According to the authors of a 1995 book, Facts About the British Prime Ministers, the most usual honour bestowed upon a former Prime Minister was Knight Companion of the Most Noble Order of the Garter (KG).[462]

Since 1946, Knights and Ladies of the Garter have been chosen personally by the Sovereign to honour those who have held public office and have contributed in a particular way to national life. Membership of the Order of the Garter is limited to just 24 persons at one time.

Harold Macmillan declined the offer. The Earl of Aberdeen was appointed to both the Order of the Garter and the Order of the Thistle (KT), while Alec Douglas-Home had already become a KT while Foreign Secretary. Ramsay MacDonald was offered the KT in 1935, but he declined it.

Winston Churchill became Knight of the Garter in April 1953, shortly after Queen Elizabeth II succeeded to the throne. Tony Blair became a Knight of the Garter in the 2021/22 New Year Honours List, more than 14 years after he left Downing Street. A petition to revoke Blair's knighthood attracted a million

459 Liz Truss broke UK rules with book revealing queen's advice, Politico, 19 April 2024.
460 The Cabinet Manual, para 11.27.
461 The Cabinet Manual, para 11.29. Unlike in the United States, the UK does not have a tradition of Prime Ministerial libraries. There is, however, a Lloyd George Museum in North Wales, which includes that former Prime Minister's birthplace and grave, and Arundells in Salisbury, which was the home of Edward Heath.
462 Dermot Englefield, Janet Seaton and Isobel White, Facts About the British Prime Ministers, London: Mansell, 1995, p383.

signatures.[463] None of Sir Tony's successors as Prime Minister have received honours.

Three Prime Ministers have been made a Member of the Order of the Companions of Honour, Winston Churchill in 1922, Clement Attlee in 1945 and John Major in 1998, the last of those for his work on the Northern Ireland peace process. John Major was also knighted (KG) in 2005 for services to politics and charity.

Of the 25 former Prime Ministers who have served since 1902, just more than half (13) received a peerage that gave them a seat in the House of Lords after departing the House of Commons.[464] The most recent was Theresa May in July 2024. Formerly, the peerage bestowed was usually an earldom. The last such creation was for Harold Macmillan, who became Earl of Stockton in 1984, more than 20 years after leaving office.

Not all former Prime Ministers have accepted peerages. John Major made it clear in a television interview that he would decline a peerage if offered, as he wanted "to take a firebreak from politics".[465]

In 1945 Churchill was offered a dukedom but declined. This was a rare honour as since 1900 no new non-royal dukes had been created. On resignation as Prime Minister in 1955 Churchill was again offered the title of duke, but once again declined. This may have been because a hereditary peerage could have reduced political opportunities for his heirs.[466]

Former Prime Minister John Major receives the Companion of Honour from The Queen, at Buckingham Palace in London in June 1999 (Number 10, Creative Commons Attribution 2.0).

463 Petition to revoke Tony Blair's knighthood hits 1m signatures, Guardian, 7 January 2022.
464 Peerages awarded to former UK prime ministers, House of Lords Library.
465 Major to turn down peerage, BBC News online, 8 October 2000.
466 Marvin Rintala, Renamed roses: Lloyd George, Churchill and the House of Lords, Biography 8:3, Summer 1985, pp248-64.

11.10 Resignation honours

An outgoing Prime Minister can ask the Monarch to bestow honours on any number of people of their choosing, something known as the Prime Minister's Resignation Honours.[467]

If resignation honours are submitted, the normal practice is that these nominations are "nodded through" without alteration by the successor Prime Minister or by the honours committees. The Cabinet Office, however, would arrange routine probity checks on criminal and taxation records, to ensure the honours are not brought into disrepute. Since 2007 the House of Lords Appointments Commission (HOLAC) also has to be consulted any nominations for peerages (see **Section 4.9**).

David Cameron's resignation honours list in August 2016 was the first time an outgoing Prime Minister had issued a list, specifically upon resignation, since John Major's in 1997. Between 1963 and 2016, only four retiring Prime Ministers issued such lists: Macmillan, Douglas-Home, Wilson (twice) and Thatcher. Since 2016, David Cameron's successors – Theresa May, Boris Johnson and Liz Truss – have all issued resignation honours.[468]

Some resignation honours have been controversial. In 1976 Harold Wilson's drew much criticism. Known satirically as the "Lavender List", Wilson nominated for peerages and knighthoods various wealthy businessmen who, according to some, shared contrary political principles to the Labour Party.[469] The nickname arose because of a claim that Marcia (later Baroness) Falkender, Harold Wilson's head of political office, had been responsible for drawing up the list of names on lavender notepaper.

In June 2023 Boris Johnson's resignation honours were published following his departure from office in September 2022.[470] This list included names of seven new peers, although a further eight names had been removed after concerns were raised by HOLAC.[471] The most recent resignation honours were those of Rishi Sunak.[472]

467 The history of Prime Minister's Resignation Honours, The Gazette, 7 February 2024.
468 Peerages created following prime ministerial resignations, Lords Library In Focus, 8 January 2024.
469 London Gazette, 1 June 1976.
470 Resignation honours: June 2023, Cabinet Office, 9 June 2023.
471 Press statement, House of Lords Appointments Commission, 12 June 2023.
472 Resignation Honours and Peerages, Prime Minister's Office, 10 Downing Street, 11 April 2025.

11.11 Prime Minister's spouse

Unlike in the United States, the role of the Prime Minister's spouse is not an official one, so it does not have a salary or specific official duties.[473]

Until the early 2000s, a Royal Charity Fund was administered by:

> the First Lord's wife, or some other lady appointed by him, entirely within her discretion and subject only to the rule that the recipients should be resident in the United Kingdom.[474]

[473] Cherie Blair with Cate Haste, The Goldfish Bowl: Married to the Prime Minister, 1955–1997, London: Vintage, 2005.

[474] Scrapped, the secret funds that few knew existed, Guardian, 3 June 2002.

12 Proposals for reform

Beginning in the early 20th century there have been various proposals to reform the office and role of Prime Minister.

12.1 Prime Minister's Department

As Prime Minister in the late 1950s, Harold Macmillan considered creating a Prime Minister's Department within Whitehall. However, he came to what the then Cabinet Secretary Sir Norman Brook called "the (rather reluctant) conclusion that it would be unwise for him to establish anything of that nature".[475]

In 1980, Sir Kenneth Berrill delivered the Stamp Memorial Lecture for the University of London entitled Strength at the Centre – The Case for a Prime Minister's Department. This concluded:

> The role of a Prime Minister at the centre has increased, is still increasing, and will not be diminished. We will be foolish if we do not face up to that fact and structure our arrangements adequately.[476]

12.2 Crown Prerogatives (Parliamentary Control) Bill

In March 1999, the Labour MP Tony Benn introduced a Crown Prerogatives (Parliamentary Control) Bill to the House of Commons.

This provided for 11 prerogatives then "exercised solely by the Prime Minister without any legal or constitutional requirement" (such as requesting a dissolution of Parliament or ratifying treaties) for parliamentary consultation should instead be subject to the assent of the House of Commons.

In Benn's view:

475 Peter Hennessy, The Prime Minister: The Office and its Holders Since 1945, p55.
476 Sir Kenneth Berrill, Strength at the Centre – The Case for a Prime Minister's Department, London: University of London, 1980, p4.

> We have shifted from a parliamentary system to a presidential one because the British Constitution allows that to happen because the powers of the Crown are at the disposal of the Prime Minister.[477]

The Bill did not proceed.

12.3 Political and Constitutional Reform Committee

The House of Commons Political and Constitutional Reform Committee, which existed during the 2010-15 Parliament, examined the role and powers of the Prime Minister. Its report requested that:

> the Government explore in a Green Paper the arguments for and against placing the Prime Minister's role as outlined in the Cabinet Manual on a statutory footing, so that the next Parliament can decide the issue.[478]

In a Private Member's Bill, which was included in the report as an appendix, the then Labour MP Graham Allen proposed a fixed list of prerogative powers to be exercised by the Prime Minister.[479]

The Committee also considered the creation of a Prime Minister's Department, either as a separate entity or as a formal department combined with the Cabinet Office. Professor Peter Hennessy (now Lord Hennessy) believed there already was such a department, but it was not referred to in those terms:

> I am reluctant for a Prime Minister's Department to exist, being a traditionalist, but it does. It is there. It is the department that dare not speak its name.[480]

12.4 Anthony Seldon

In his 2021 book, The Impossible Office? The History of the British Prime Minister, the historian Anthony Seldon made five proposals "to allow the office to perform better, and the country to be led better, as the position goes into its fourth century":

- Formalise the position of Deputy Prime Minister(s)
- Number 10 needs to become more high powered (Seldon argued that "valuable room" was being taken up in Number 10 "by a variety of people

477 Peter Hennessy, The Prime Minister: The Office and its Holders Since 1945, p9.
478 Political and Constitutional Reform Committee, Role and powers of the Prime Minister, HC 351, 24 June 2014, para 15.
479 Political and Constitutional Reform Committee, Role and powers of the Prime Minister, Appendix 2.
480 Political and Constitutional Reform Committee, Role and powers of the Prime Minister, p34.

and functions that could be carried out as well elsewhere in Westminster or Whitehall")

- Reset balance between the Prime Minister and the Chancellor
- The Prime Ministership and Number 10 need to become much more diverse
- Professionalise understanding about the Prime Minister (Seldon believed the electorate "might be shocked if they knew how little incoming prime ministers and their closest advisors know and understand about the history and operation of the office, its powers and constraints, and how the system works")[481]

12.5 Public Administration and Constitutional Affairs Committee

The House of Commons Public Administration and Constitutional Affairs Committee examined the role and status of the Prime Minister's Office during 2021. It concluded that it had heard "little evidence" to support the creation of a separate Department for the Prime Minister:

> The current Office of the Prime Minister is too small and much of its workforce too transient to be sensibly treated as a distinct department. The creation of a larger department, bringing together Number 10, the Cabinet Office and perhaps parts of HM Treasury has its supporters. However, the detail of this and how it might work are beyond the remit of this inquiry. Moreover, at least some of the benefits could be achieved through better collective working and a clearer specification of the respective roles of Number 10 and the Cabinet Office.
>
> Whilst the creation of a separate department would help to resolve some of the accountability issues that have concerned us in this inquiry, these could be resolved more easily through greater transparency within the existing arrangements.[482]

12.6 Independent Review of Governance and Accountability in the Civil Service

Lord Maude of Horsham was appointed to conduct a review of Civil Service governance and accountability in July 2022. He reported in November 2023.

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481 Anthony Seldon, The Impossible Office, pp328-33.

482 Public Administration and Constitutional Affairs Committee, The role and status of the Prime Minister's Office, HC 67, 9 June 2021, paras 49-50.

He made several recommendations in relation to the Prime Minister's functions regarding the Civil Service, including that:

- There should be a comprehensive and transparent scheme of delegation of the Prime Minister's statutory power to manage the Civil Service
- The role of Head of the Civil Service ought to be separated from that of Cabinet Secretary
- The Cabinet Secretary [...] would be the Permanent Secretary sitting over the new Office of Prime Minister and Cabinet, which would be the strategic centre of government
- The mandate (of the Head of the Civil Service) should be set out in a formal delegation letter from the Prime Minister
- In addition to the Prime Minister's obvious role, there would be a second cabinet minister, ideally from the House of Lords [...], who could act as the Prime Minister's Chief of Staff
- The Prime Minister's Chief of Staff should attend the "Wednesday Morning Colleagues" meeting of departmental permanent secretaries[483]

In his report, Lord Maude described "pushback from some current and former Whitehall officials" on the basis that:

> All authority flows from the Prime Minister. The Cabinet Secretary sees the Prime Minister every day, and as [Head of the Civil Service] their ability to drive change through the agency of fellow permanent secretaries comes from the sense that they speak with the authority of the Prime Minister.[484]

12.7 Commission on the Centre of Government

The final report of the Institute for Government's Commission on the Centre of Government was published in March 2024 and made seven recommendations for "radical reform". These included that:

- The prime minister should appoint an Executive Cabinet Committee made up of a few key ministers
- The prime minister should appoint a new, senior first secretary of state with responsibility for delivering the government's priorities and ministerial responsibility for the civil service

483 Independent Review of Governance and Accountability in the Civil Service: The Rt Hon Lord Maude of Horsham, 13 November 2023.
484 Independent Review of Governance and Accountability in the Civil Service: The Rt Hon Lord Maude of Horsham, para 4.41.

- The Cabinet Office and No.10 should be restructured into a Department of the Prime Minister and Cabinet and a separate Department for the Civil Service.[485]

The Commission's final report observed that:

> Most prime ministers have at one time or another considered creating a new department like this at the centre. It is also a model used abroad, in countries including Ireland and Australia. The case for doing so in the UK is now compelling [...] the prime minister is the executive leader of the government and should be supported as such. The current model should be replaced by a stronger, more permanent arrangement focused on servicing the core functions of the centre of government.[486]

Two former Prime Ministers, Sir John Major and Gordon Brown, spoke at the launch of the Commission's report on 11 March 2024 but did not endorse all its recommendations.[487] In his remarks, Sir John said:

> Constitutionally, the Prime Minister has few powers; in practice, he or she has many, simply because of the position they hold. With a large majority, a Prime Minister can be almost unconstrained in his or her actions [...] My preference is quite clear, I prefer effective Cabinet government to Prime Ministerial dictat.[488]

485 Power with purpose: Final report of the Commission on the Centre of Government, Institute for Government, 10 March 2024.
486 Power with purpose: Final report of the Commission on the Centre of Government, Institute for Government, 10 March 2024, p77.
487 Ex-PM Sir John Major criticises successors in No 10 for civil service treatment, BBC News online, 11 March 2024.
488 Fixing the centre of government, Institute for Government, 11 March 2024.

13 Statutory and prerogative functions

In written evidence to the House of Commons Political and Constitutional Reform Committee in 2014, Professor George Jones stated that:

> While some of the powers of the office—mainly about public appointments—exist under statute, the premiership has a slimmer statutory existence than many other offices of state. As of 2010, there were 92 pieces of primary legislation and 422 of secondary legislation referring specifically to the Prime Minister (there are other references to the 'First Lord of the Treasury' and the 'Minister for the Civil Service'). By contrast, the respective totals for the Secretary of State for Health were 662 and 7,205; and for the Business Secretary 577 and 2,221.[489]

Table 2 lists the Prime Minister's main statutory functions. **Table 3** lists the Prime Minister's powers of appointment under the royal prerogative (meaning those without a statutory basis).

By custom, the Prime Minister advises on other statutory appointments by the King but is not named in the legislation. For details of these see the supporting documents (Excel spreadsheet) on the landing page for Commons Library research briefing, The royal prerogative and ministerial advice.

Table 2 Prime Minister's statutory functions

Power	Statutory reference
Moving Commons motion appointing Comptroller and Auditor General	Budget Responsibility and National Audit Act 2011, s11
Nominating members of Intelligence and Security Committee	Justice and Security Act 2013, s1
Recommending appointment of Supreme Court Justices	Constitutional Reform Act 2005, s26
Appointing chair of School Teachers' Review Body	Education Act 2002, s119
Appointing members of the Police Remuneration Review Body	Police Act 1996, s64A
Appointing Board members of the National Gallery and Tate Gallery	Museums and Galleries Act 1992, Schs 1 and 2
Recommending appointment of Lord Chief Justice and Lord Justices of Appeal in Northern Ireland	Judicature (Northern Ireland) Act 1978, s12

[489] Role and powers of the Prime Minister, p5.

Approving appointment of Director and appointing Trustees of the British Museum	British Museum Act 1963, s6
Appointing Trustees of the Natural History Museum	British Museum Act 1963, s8
Appointing chair and trustees of the Victoria and Albert Museum	National Heritage Act 1983, Sch 1 para 3
Appointing chair and trustees of the Science Museum	National Heritage Act 1983, Sch 1 para 13
Appointing chair and trustees of the National Heritage Memorial Fund	National Heritage Act 1980, s1
Approving release of certain information to the Parliamentary Commissioner	Parliamentary Commissioner Act 1967, s8
Recommending appointment of Lord President of the Court of Session or Lord Justice Clerk in Scotland	Scotland Act 1998, s95
Approving appointment of Director-General and Curator of the Imperial War Museum	Imperial War Museum Act 1920, s4
Appointing members of the Board of the Imperial War Museum	Imperial War Museum Act 1920, Sch
Designating a mother or expectant mother as a Minister on Leave	Ministerial and other Maternity Allowances Act 2021, s1
Recommending for appointment chair and members of the Churches Conservation Trust	Mission and Pastoral Measure 2011, s57 & s 100(2)(a)
Recommending appointment of chair and members of the Criminal Cases Review Commission	Criminal Appeal Act 1995, s8, Sch 1 para 1
Certain actions when a benefice is vested in Crown	Mission and Pastoral Measure 2011, s 100(2)(a), Church Property Measure 2018, section 14(1)(b)
Appointing members of the Board of Governors of the Museum of London	Museum Of London Act 1986, s1
Appointing a ministerial member of the Speaker's Committee	Political Parties, Elections and Referendums Act 2000, s2
Certifying release of information to the Health Service Commissioners	Health Service Commissioners Act 1993, s12
Approving the appointment of a special adviser	Constitutional Reform and Governance Act 2010, s15
Making (among others) emergency regulations	Civil Contingencies Act 2004, s20

Acting Parliamentary Commissioner for Administration and Acting Health Service Commissioner for England[490]	Parliamentary Commissioner Act 1967, s3A and Health Service Commissioners Act 1993, Sch1 para 2

Source: www.legislation.gov.uk

Table 3 Prime Minister's prerogative functions

Power	Means by which power is executed
Appointment (and removal) of ministers	Advice to the King
Privy Counsellors	Advice to the King
Hereditary/Royal peerages	Advice to the King
Royal Household appointments	Advice to the King
Lord Warden of the Cinque Ports and Constable of Dover Castle	Advice to the King
Captain of Deal Castle	Advice to the King
Members of Royal Mint Advisory Committee	Advice to the King
Astronomer Royal/Astronomer Royal for Scotland	Advice to the King
Commissioner for Public Appointments	Advice to the King
Regius Professorships in England, Wales and Northern Ireland	Advice to the King
King Edward VII Professor of English Literature (Cambridge)	Advice to the King
Master of Trinity College, Cambridge	Advice to the King
Master of Churchill College, Cambridge	Advice to the King
Provost of Eton	Advice to the King
Ad hoc public appointments (including Royal Commissions and Standing Royal Commissions)	Advice to the King
Churches Conservation Trust (Chair and members)	Advice to the King
Bishops, Cathedral Deans and (circa 200) Crown Livings and Canonries	Advice to the King
Poet Laureate	Advice to the King
Honorary Physicians to the King	Advice to the King

[490] Statute does not specify the need for an humble Address (recommending the appointment of an Acting Commissioner) moved by the Prime Minister, but this has become recent practice.

Lord High Commissioner to the Church of Scotland[491]	Advice to the King
Lord President of the Court of Session and Lord Justice Clerk (following nomination by First Minister of Scotland)	Advice to the King
Constables of Caernarfon, Flint and Harlech Castles	Advice to the King
Deans of Jersey and Guernsey and Bishop of Sodor and Man	Advice to the King

[491] The Prime Minister offers advice on this appointment having received a recommendation from the First Minister of Scotland. Names of possible candidates come to the First Minister from the Church of Scotland, via the Purse Bearer to the Lord High Commissioner (information provided by the Scottish Government).

14 Further information about Prime Ministers

The Commons Library research briefing, Prime Ministers, lists the Prime Ministers who have served in Great Britain/the United Kingdom since 1721. That briefing also lists the locations of Prime Ministerial papers, where known.[492]

In 1995 three Commons Library clerks, Dermot Englefield, Janet Seaton and Isobel White published Facts About the British Prime Ministers, a compilation of biographical and historical information about every Prime Minister from Sir Robert Walpole to John Major.[493] The book includes the detail that of the then 45 Prime Ministers whose place of birth was known, 37 were born in England, 5 in Scotland and 2 in Ireland. Only one had been born outside the British Isles: Andrew Bonar Law, who was born in New Brunswick, Canada. No UK Prime Minister has been born in Wales although one, David Lloyd George, is buried there.[494]

The Past Prime Ministers pages at the History of the UK Government website provides brief biographies of every former Prime Minister since 1721.

Ahead of the tercentenary of the office of Prime Minister in 2021, the journalist Iain Dale edited a book entitled The Prime Ministers: 55 Leaders, 55 Authors, 300 Years of History. This contained short essays on every Prime Minister from Sir Robert Walpole to Boris Johnson.[495]

A 2023 survey invited all MPs to evaluate the performance of post-war premiers from Clement Attlee to Liz Truss. Among the MPs who responded, Margaret Thatcher was ranked as the most successful post-war Prime Minister and Liz Truss the least successful.[496]

492 Commons Library research briefing SN04256, Prime Ministers.

493 Dermot Englefield, Janet Seaton and Isobel White, Facts About the British Prime Ministers, London: Mansell, 1995.

494 Dermot Englefield et al, Facts About the British Prime Ministers, p363. Boris Johnson was born in New York City in 1964.

495 Iain Dale (ed), The Prime Ministers: 55 Leaders, 55 Authors, 300 Years of History, London: Hodder & Stoughton, 2020.

496 The Good, the Not so Good, and Liz Truss: MPs' Evaluations of Postwar Prime Ministers, Political Quarterly, 21 February 2024. A similar survey took place in 2013. For other attempts to assess Prime Ministerial performance, see Kevin Theakston and Mark Gill, Rating 20th-century British prime ministers, British Journal of Politics and International Relations 8:2, 2006, pp193-213, and Paul Strangio, Paul 't Hart and James Walter (eds), Understanding Prime-Ministerial Performance: Comparative Perspectives, Oxford: Oxford University Press, 2013.

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